21c

THE WHOLE

PROCEEDINGS

ON THE

King's Commiſſion of the Peace, Oyer and Terminer, and Gaol-Delivery

FOR THE

CITY of *LONDON*;

And alſo the Gaol-Delivery for the

County of *MIDDLESEX*;

HELD AT

JUSTICE-HALL in the OLD-BAILEY,

On *Thurſday* the 12th, *Friday* the 13th, *Saturday* the 14th, *Monday* the 16th, and *Tueſday* the 17th of *JANUARY*, 1769.

In the Ninth Year of His MAJESTY's Reign.

Being the Second SESSION in the MAYORALTY of

The Right Honourable *Samuel Turner*, Eſq;

LORD-MAYOR of the CITY of *LONDON*.

NUMBER II. PART III. and IV.

Containing the Concluſion of the TRIAL of

LAURENCE BALFE and EDWARD M'QUIRK,

for the Murder of Mr. GEORGE CLARKE, at BRENTFORD ELECTION;

Together with the remaining TRIALS.

LONDON:

Sold by S. Bladon, at No. 28, in *Peter-noſter-Row*. [Price One Shilling.]

PROCEEDINGS

OF THE

City of LONDON,

And also the Court of Hustings for the

County of MIDDLESEX;

HELD AT

Justice-Hall in the OLD-BAILEY,

For the City, and Liberty of the Same, and

the City and Parish of WESTMINSTER, and

In the Ninth Year of His MAJESTY's Reign.

Being the Second SESSION in the MAYORALTY

of the Right Honourable Sir WILLIAM PLOMER, Knt.

Lord-Mayor of the City of LONDON.

NUMBER II. PART III. and IV.

Containing the Conclusion of the Trials of

MURRAY OR BAILY and EDWARD MOULTRY,

for the Murder of Mr. GEORGE CLARKE, at OPENTON-CLAYS.

Together with the remaining PART of

LONDON:

Printed and Sold by the Proprietors, (Price One Shilling.)

THE PROCEEDINGS ON THE King's Commission of the Peace, Oyer and Terminer, and Gaol-Delivery, held for the City of LONDON, &c.

Croſs Examination.
By Mr Lucas.

Q. WHAT diſtance is it from the end of the lane to the Huſtings?

Mr. Clay. I told you before, about 40 or 50 yards.

Q. How far from the end of the lane was it where the priſoner was beating the man?

Clay. It was not far from it.

Q. Did you ſee whether they were the ſame people, or whether they were others?

Clay. There were them and more; there were more than I had ſeen before.

Q. Are you certain M'Quirk is the man?

Clay. I am. I will give you my reaſon for it. There was no man between us to take the ſight from me. There was none but that gentleman's ſervant. If it is poſſible to know a man's face again, I am certain. I was about eight or nine yards from the gentleman's ſervant, when he was beating him.

Q. How was M'Quirk dreſſed?

Clay. I cannot tell. I cannot ſay to his dreſs. I cannot tell the colour of his coat, it ſtruck me with ſuch a terror at the time. My attention was upon his bludgeon and face.

Q. Had you ever ſeen him before?

Clay. No. I never had to my knowledge.

Q. Do you believe it is the man now?

Clay. I have no doubt now at all whether this is the man.

Q. What diſtance from the Huſtings to where you received the blow?

Clay. It may be thirty, forty, or fifty yards, more or leſs.

Q. How were theſe rioters dreſſed?

Clay. They appeared like country men. Some had ſhortiſh coats; ſome drab-coloured; ſome light-coloured; ſome lopped hats. There were numbers of people had in their hats, *Proteſtant and Liberty*. Some had none.

Q. Had they all bludgeons?

Clay. They had ſticks or bludgeons. Some not ſo large as others.

Q. Had they *Proteſtant and Liberty* in their hats, or *Clyn*, that did this miſchief?

Clay. Immediately at that time I could not obſerve that. My attention was to my officers.

Mr. Serjeant Leigh. Here, my Lord, we have done.

Priſ. Defence.

I went down to Brentford with no bad intent, neither did I hurt any one.

M'Quirk's

M'Quirk's Defence.

I am quite innocent of what is laid to my charge. I was at Brentford. I took up a ſtick, and was the inſtigation of ſaving Mr. Allen's life; and he has requited me for ſo doing. I leave it to my counſellors to call my witneſſes.

For the Priſoners:

Richard Heighway, Eſq; ſworn.

Serjeant Davy. I call this evidence to the general account of the matter.

Q. Are you a freeholder in the county of Middleſex?

Mr. Heighway. I am. I went to the election at Brentford.

Q. Was you upon the Huſtings?

Heighway. I believe I was upon the Huſtings between eight and nine in the morning; and ſtayed upon the Huſtings till the greateſt part of the riot was over; till the Huſtings were cleared.

Q. In the firſt place, did you make particular obſervations what was doing at the Huſtings? I do not mean exactly the number, but at periods of time, when there was the greateſt ſwell.

Heighway. I think it was between eleven and twelve o'clock. I inſpected one of the books. It was generally underſtood there was a majority for Mr. Serjeant Glyn.

Q. How did it ſtand near the time the riot began?

Heighway. From the obſervations I made, there was not a greater majority before the riot began, than there was when the riot happened. It was underſtood ſo by many gentlemen that ſpoke to me on the Huſtings. I think a little before two, I was called to by Mr. Plumber, of Hertfordſhire, deſiring Mr. Sheriff Shakeſpeare would let him come upon the Huſtings. He let in Mr. Plumber and Mr. Barrington. Then I got back to my former ſtation again. In the morning, ſoon after they began to poll, I very well remember, Sir William Beauchamp Proctor and Mr. Serjeant Glyn appeared on the Huſtings, and Mr. Serjeant Glyn ſpoke to ſeveral people about the Huſtings. The Serjeant's people began to hiſs and revile Sir William very much.

Q. What time was this?

Heighway. This was between twelve and one o'clock. Mr. Serjeant Glyn converſed with ſeveral of them. Some of Sir William's people complained to me, they could not get up to poll.

Q. What hindered theſe people from coming to poll? What was the cauſe?

Heighway. I ſaw no obſtruction, but by the other voters that were nearer the Huſtings. I obſerved ſeveral of Mr. Serjeant Glyn's voters, that would not leave the Huſtings after they had polled. That was one cauſe that people could not get up to poll.

Q. Whether you obſerved a great number of people coming?

Heighway. Some time about one, or between twelve and one, a little after this time, I obſerved a number of people coming from towards Acton and Ealing. I believe one hundred and ſixty, or one hundred and ſeventy of them. I counted upwards of one hundred and fifty. They rode round the Huſtings. Then, I believe, they diſmounted, and came up, and polled. I ſaw ſome come up and poll in the book that I inſpected. This was before I left my ſtation to go for Mr. Plumber. A great number of them appeared to be Sir William's voters endeavouring to come to poll.

Q. Was it obſerved that the number for Sir William was very much increaſed?

Heighway. It increaſed very much.

Q. Was it underſtood by the gentlemen that they were conſiderably increaſed?

Heighway. It was generally underſtood that Sir William would have the majority, had the poll gone on; that was between one and two o'clock, the poll went on then ſlow. If there had been no diſturbance, I was of opinion that Sir William would have the majority. This was the opinion of ſeveral that converſed with me. I dare ſay Sir William's friends willed things had gone on quietly. It was what I wiſhed.

Q. Did that continue to be the opinion till the riot began?

Heighway. It was the general opinion of my friends about the Huſtings. At a little diſtance from the north end, we ſaw two men in a ſcuffle; one ſtruck the other; this was at the rail oppoſite the door: there was a rail where people could reſt their feet and hands upon.

Q. What time was this?

Heighway. This was a little after two o'clock. This is what I call the beginning of the riot. Some of the conſtables endeavoured to part them: one of the conſtables was knocked down, and his hat broke. When the hat was broke, there were other conſtables came to their aſſiſtance.

nce. There was a hat thrown up into the air very ſoon after.

Q. What part of the place was the hat thrown up from?

Heigbway. It was oppoſite the north end of the Huſtings.

Q. Do you know who threw it up?

Heigbway. No, I do not.

Q. Had it a lace upon it?

Heigbway. I could not ſee whether it had or not. Soon after that a great number of people ruſhed into the ſtreet, and beat the people down, and drove every body away before them.

Q. Was there any circumſtance that happened at that time, by which you are able to form any opinion what party that was?

Heigbway. I did not know any of the party. I could not diſtinguiſh the faces of any of them, but one man who began the ſcuffle. I think I ſhould know his face was I to ſee him.

Q. Do you know what ſide he took?

Heigbway. I cannot be able to ſay that.

Q. Did the mob that did this, make any ſhout? Or what did they ſay?

Heigbway. They made no ſhout when they began, but when they had drove away all the people, they cried Glyn for ever.

Q. Was that the ſame mob?

Heigbway. I cannot take upon me to ſay it was the ſame mob. It was the continuation of the ſame riot. They went round the outſide of the Huſtings, and round the north end again, and then they ſhouted. I think it impoſſible to diſtinguiſh any of the men, unleſs they went there on purpoſe. They had large ſticks or bludgeons. I do not know how to diſtinguiſh a ſtick from a bludgeon.

Q. Had they any labels in their hats?

Heigbway. I think they had many.

Q. What were they?

Heigbway. They were Proctor and Liberty: and in marching round, they cried Glyn for ever.

Q. Could you diſtinguiſh the cards?

Heigbway. I could. There was a conſiderable difference in them; Glyn's were Glyn upon blue paper; and the white ones were Proctor and Liberty. From the colour of the cards, I concluded it was Proctor and Liberty.

Q. Then in conſequence of this there was a general ſtop to all buſineſs?

Heigbway. Yes; from the beginning of the riot, there was an end of buſineſs for that day.

Q. Did you ſtay upon the Huſtings later than others?

Heigbway. I ſtaid upon the Huſtings, and walked towards the middle, and ſaw ſome gentlemen abuſing Sir William very much; very groſsly.

Q. Did you apprehend it to be Sir William's mob at that time?

Heigbway. I had ſo little notion of a mob, that I could not tell. I thought it very abſurd for Sir William to do it at ſuch a time.

Q. How long did you ſtay upon the Huſtings?

Heigbway. I ſtayed till after Sir William had quitted the Huſtings.

Q. How was he treated by the mob?

Heigbway. As he went to a gentleman's houſe, a little to the right of the Huſtings, he was pelted very much.

Q. Was this by the firſt mob that made the riot, or a contrary mob?

Heigbway. I underſtood it was the ſame mob; but I cannot ſay that.

Q. Why did you ſo underſtand it?

Heigbway. Becauſe they kept on without intermiſſion. I obſerved the mob ſeemed to fight one another. Sometimes I ſaw ſome gentlemen ſpeaking to Mr. Sheriff Shakeſpeare, upon the Huſtings.

Q. When did they begin to fight one another?

Heigbway. They were fighting one another at the beginning of the riot, and in the middle of the riot.

Q. Did you ſee any compact body that made any regular attack?

Heigbway. No, I did not. I ſaw a ſcuffle among individuals. I believe it was the firſt rioters that continued their courſe without intermiſſion, and went round the Huſtings.

Q. Did you ſee Mr. Sheriff Shakeſpeare aſſaulted?

Heigbway. No, I did not. I heard he had a narrow eſcape. I did not go out of the Huſtings till the riot was over.

Q. How long did the riot laſt, from the firſt attack of the two men in the ſcuffle?

Heigbway. They got away from the Huſtings as faſt as they could. It was over, and the outſide of the Huſtings was cleared in a few minutes.

Q. How many minutes do you think?

Heigbway. A minute or two, or a little more. It was a very ſhort ſpace of time. It began in a moment after the hat was thrown up. It was

all in a confuſion within the Huſtings. Many of the other gentlemen leaped over on the other ſide. They were all confuſed firſt on the outſide, and then all within.

Croſs Examination.

Counſel. You ſay a hat was thrown up in the air; then there was a confuſion?

Heighway. There was a confuſion before the hat was thrown up; I ſaw a number of people direct their courſe up to the Huſtings; they knocked down indiſcriminately all thoſe that ſtood in their way.

Q. You ſay they had ſticks, or bludgeons; what length might they be?

Heighway. They were about three feet long, though ſome were longer.

Q. You ſay you did not ſee any compact body?

Heighway. I did not.

Q. Did they not keep together to defend themſelves, and offend others?

Heighway. After the hat was thrown up, they ruſhed on, and proceeded knocking down all.

Q. Did there ſeem to be a conſiderable force?

Heighway. There did.

Q. What was your employ on the Huſtings?

Heighway. I was an inſpector.

Q. Did you obſerve ſome of the men fighting, that had white cockades on their hats, that had Proctor and Liberty on them?

Heighway. Some had.

Counſel. It is very extraordinary for them to call out Glyn for ever: that was certainly againſt their own intereſt.

Heighway. I cannot pretend to ſay. There were many that cried Glyn for ever, had white labels in their hats.

Q. So then you believe theſe men impoſed upon the people? I want to underſtand it. Your evidence carries that idea.

Heighway. My ideas are nothing to the court; the people that cried Glyn for ever, many of that body had white cards on their hats. I do not ſay they all had; there were ſome had blue ribbons.

Q. Can you ſpeak with any degree of certainty; did any of theſe men who made this attack, did any one of them cry Glyn and Liberty, or Glyn for ever, or Glyn at all?

Heighway. I kept my diſtance. It appeared to me they came round in a direct courſe, and if they did, as I ſuppoſe they did, ſome of theſe very men cried out Glyn for ever.

Q. Whether any of them ſo armed did cry out Glyn?

Heighway. I think they were all armed.

Q. Pray what number of men were there?

Heighway. There appeared to be a great number. I believe when they came on the inſide the Huſtings there were upwards of fifty.

Q. How many do you think there were of them at leaſt?

Heighway. There were a great many of them.

Q. How came they to ſeparate?

Heighway. I did not ſee them ſeparate at all.

Q. How long do you think the riot laſted?

Heighway. I believe it did not laſt above two minutes. It did not appear to me to be above.

Q. If I underſtand you right, you have deſcribed theſe men coming round the Huſtings ſeveral times, what do you mean by round and round?

Heighway. I mean twice.

Q. What time did Sir William Beauchamp leave the Huſtings?

Heighway. I believe he left it the ſecond time. There were numbers of voters in the ſtreet. Sir William was abuſed very ſoon after the riot began.

Counſel. Then the general cry of the place was Glyn?

Heighway. I remember when Glyn was declared, the cry was very much ſo.

Q. How was it when Sir William was declared?

Heighway. Then it was not ſo much.

Q. How did you eſcape?

Heighway. I went over the Huſtings, and walked away to a gentleman's houſe. The mob had juſt broke the windows where Sir William Beauchamp was. The mob followed him as I came away, quite to the gentleman's houſe.

Serjeant Davy. Then the general cry was at firſt for Serjeant Glyn, and for Sir William but little?

Heighway. The cry was moſt for Serjeant Glyn.

Serjeant Davy. The people who began the riot had every one a bludgeon?

Heighway. Theſe that I ſaw, that appeared active in the riot, had each of them ſticks or bludgeons.

Serjeant Glyn. How many of them had labels with Proctor and Liberty?

Heighway. There were many of them had, but whether the greater number of them had, I cannot ſay. I ſhould imagine not half of them had.

Serjeant Davy. Was this a body of men acting together, or oppoſing one another?

Heighway.

Heighway. The body appeared to me to be a body in favour of Serjeant Glyn. The inferior number I took to have white labels.

Serjeant Davy. Was the shout for Serjeant Glyn during the riot, from the greater or the leſſer number?

Heighway. I ſhould imagine they very nearly all ſhouted together; all this body that paraded round, as well theſe as the others.

Court. From your evidence, I underſtand you mean, that one mob drove all the people before them?

Heighway. I apprehend, when one party got the advantage, they drove all before them, and then they marched round the Huſtings; they ſeemed to be a confuſed body together.

Q. Did theſe people, that they made the attack upon, make any attack upon them?

Heighway. Many of them that were before quiet round about the Huſtings; ſome of them were knocked down.

John Stevens ſworn.

John Stevens. I was at Brentford the firſt day of election.

Q. Are you a freeholder?

Stevens. I am. I ſaw ſome ſmall diſturbance after I had polled. There was a body of us that went together in a coach; we made an appointment not to go into any tavern, but the perſon that firſt polled ſhould wait till all could get together, in order to leave the town immediately. I polled I believe between twelve and one; I was the firſt. The other three gentlemen were cloſe at my back. When I had polled, I went and ſtood near our own coach, waiting for the reſt. I removed a little from the Huſtings, and ſtood off towards the back door of the Caſtle-Inn. I waited till near two o'clock, before we went away; not a great way from the back door of the inn, I perceived people walking backwards and forwards; ſome with little oak ſticks not a yard long, and ſome others with white ſticks, ſomewhat like a mop-ſtick. I ſaw two of theſe, they were different from others, which cauſed me to take notice of them. One of theſe men were ſurrounded (he ſtood but a little way from me) by four or five men, who had thoſe little bludgeons in their hands, but whoſe party I know nothing of. They inſiſted upon his delivering up his ſtick to them; he expoſtulated very mildly to them, to this effect: Why ſhould you want to take this ſtick from me? I have not offended any body, nor do I deſign to offend any. They inſiſted on his delivering up the ſtick. At laſt, I interfered, and ſaid, Friend, you had better deliver up the ſtick, it may prevent farther trouble. Upon which the fellow delivered it up, and went off very quietly. On the other ſide, I ſuppoſe not four yards from the ſame place, was another man, with another ſtick; he was cl[illegible] to my right hand; they wanted his ſtick. I ſaid, You had better deliver it up. The fellow ran away. That is all I ſaw at that time. I was a little afraid ſome quarrelſome work would enſue, therefore ſtept up towards our coach to my company. As I was moving towards the coach, I heard a great ſhout at my back; I turned round, and at that inſtant I ſaw a conſiderable body of men coming from the back door of the Caſtle-Inn: whether they came out of the Inn-Yard, I do not know. They came in a body either from the outſide of the gate, or the inſide; they muſt come from the gate; there were a great many people walking backwards and forwards. In a minute or two, I ſaw them white ſtaves, or two others, held up in triumph, as if taken away. Hearing this ſhout, I turned round; I ſaw many people running for ſhelter. My company were that moment come to the coach, we jumped into it. I put my head out, and ſaw how they directed themſelves; they went towards the Huſtings. I ſaw the ſticks flying in the air; we begged our coachman to haſte away, he drove away; we deſired not to be witneſſes to any cruelty that might enſue.

Q. Did you hear them ſay any thing?

Heighway. I heard nothing ſaid by them. I can give no evidence, whoſe people they were; they muſt come from near the gate of the Caſtle-Inn, or from the inn. I had no conception, that they came from any place beyond it; I know nothing whether there is any paſſage beyond; I do not know how the town is ſituated. At that time I really thought it was one of Sir William's houſes, but now I know it was not. Immediately as our coach ſet out, we were followed by a good many people, who ſaid that mob was knocking down all before them. And that was the beginning of the riot.

James Clitheroe ſworn.

James Clithero. I was at Brentford election. I went out before eight o'clock; we got there before the polling began.

Q. Can you recollect at the time the riot

began, whether there were a great number of freeholders arrived in town for Sir William Beauchamp Proctor?

Clithro. I saw some, but that was, I believe, between twelve and one; they were going down to poll. They were about half a mile from the poll.

Q. Can you form any judgment what number that party might consist of?

Clithro. No. I believe, there was above an hundred. These I met above half a mile from Brentford.

Q. An hundred freeholders must be a considerable time in polling.

Clithro. I was in the booth, I kept near the center of the booth; I said to a gentleman, It was the best way for us to stay there. I saw a party going round the booth pretty rapidly; as soon as they past the north corner, I jumped over the rails, and ran away as fast as I could. I believe half of them had cockades; I could read some of them; they had Proctor and Liberty upon them.

Alexander Eason sworn.

Eason. I was at Brentford election. On the 8th of December, I arrived there between twelve and one; we got out of the coach in the road, near the north side of the Hustings; we had all agreed to go into no house, but go and poll as soon as we could, and make the best of our way home before dark, if possible. We intended to keep as close together as we could. Mr. Stevens gave his vote first. I stayed some time, before I could have an opportunity to poll; for when it came to my turn to poll, the book was handed sometimes on one side me, then on the other. Said I, It is my turn next, I desire you will let me go, I am like to drop down. Still it went on one side, then the other, then over my head. Then I insisted upon it, I would be polled. I was, and gave my vote; after which I made the best of my way to the outward rail, with great difficulty. I had a friend, who lives at Kew, proposed to meet me, I went three or four times round the booth to see if I could find him. I found all the rest of the gentlemen were ready to go; I told them, I would not detain them. Upon the south-east corner of the booth, that faces the Castle Gate, as I was on the outside the mob, I saw a man with a white staff in his hand, I believe, about four feet long, like a mop-stick.

Q. What time was this?

Eason. Then it might be about two o'clock. The man was on the path that leads to the Castle-Yard. Two or three men came up to him, and said, That was not a weapon that he was to have there; they told him he must part with it. There came two more with white staves, then the others insisted on taking all three from them; they made some words, but nothing of any outrage, or bad words, but did not care to part with them; but they were taken away, a footman took them away; I saw him carrying them towards the Hustings. There was one with a staff making water towards the Castle-Gate; a constable went to him and said, I am ordered to take it from you. Said the man, I mean no harm, I do none, what do you rob me of my stick for? He said, I will have it, it does not signify. I observed Mr. Stevens go to him, and take him by the arm and speak to him, and the man delivered it up. What became of that stick, I cannot tell. We drawed a little way from the Castle-Gate, to go towards our coach. I believe, in less than a minute after (we walked but very slowly going up the hill) I looked back, there I saw a vast number of people collected together, in a great mob of all sorts. It was on the inside the Castle-Gate. The constables seeing this, assembled together on purpose to keep them in, as I understood, not to let them break through. While they were thus going on, I saw the constables staves and bludgeons, and these white sticks, all intermixed, and at last the mob overpowered the constables. Then I said to Mr. Stevens, Let us make the best of our way to the coach; we did, and before we got into the coach, they had almost got to the north end of the polling place. We drove on, and saw no more of it.

Q. Did you observe what ribbons these people had in their hats?

Eason. Those with white staves had got Proctor and Liberty; there were some without any cockades at all; some with Glyn's cockades. There were bludgeons, and all sorts of sticks there.

Q. What had they in their hats, that took away the staves?

Eason. I did not observe what they had. I did not understand one side more than another. I dare say there were pretty near twenty constables.

John Wilson sworn.

John Wilson. I was at the Brentford election, on the 8th of December last.

Q. Did you see Mr. Jordadine there?

John

Wilſon. Yes, he was at my ſchool.

Counſel. Relate any circumſtance you ſaw of his behaviour.

Wilſon. He deſired me to look out for the beſt opportunity for him to poll. I kept a look out, and ſaid, I thought it was now as good time as any. I had not ſeen it ſo clear a good while.

Q. What time was this?

Wilſon. This was about two o'clock. He went out eſcorted by half a dozen men or more, that were hired to aid the conſtables of Brentford, and to aſſiſt perſons to poll. He was very infirm.

Q. Did theſe men behave improperly?

Wilſon. Not as I ſaw.

Q. Who did Mr. Jordaine go to poll for?

Wilſon. For Sir William Beauchamp Proctor. There was a perſon came to take their ſtaves away from them.

Q. Who was that perſon?

Wilſon. Mr. Grange. He is a headborough for the hamlet of Hammerſmith.

Q. Did he complain of any improper behaviour of theſe men?

Wilſon. No. He wanted to know who gave them authority, and knocked ſeveral of them down. They had done nothing more than to eſcort the people that went to vote for Sir William. They behaved very well and peaceably. I ſaw him ſtrike ſeveral.

Counſel. I ſuppoſe theſe were people that behaved improperly.

Wilſon. No. They did not.

Q. Did they go up to the Huſtings?

Wilſon. He demanded their ſtaves, and demanded to ſee their authority; and forced the ſtaves from a great many of them, and gave three cheers.

Q. Was there any riot on this?

Wilſon. The riot ſucceeded immediately.

Q. What followed upon this?

Wilſon. As ſoon as they had gained the victory, they went away with three *Hunzas*. This was the firſt I ſaw of the riot.

Q. Who gave three cheers?

Wilſon. Grange and his attendants.

Counſel. You ſay they huzzayed upon gaining the victory.

Wilſon. That was in taking away the ſtaves from theſe men that behaved peaceably.

Q. Where is your ſchool ſituated?

Wilſon. Within 30 yards of the Huſtings, on the eaſt ſide.

Samuel Wegg, Eſq; ſworn.

Mr. Wegg. I was at the election of Brentford. I came in between twelve and one, as near as I can recollect.

Q. How long did you ſtay?

Wegg. I ſtaid till the riot happened.

Counſel. You was within the Huſtings.

Wegg. I was never on the Huſtings. I joined at Acton a great number of people that came from the Hertfordſhire ſide of Middleſex. A gentleman told me there were 160 on horſes, and many in carriages, ready to poll for Sir William. We went to the north-eaſt corner, where I found no probability to get up; I went round from that corner to the north-eaſt; and juſt as I turned round, I ſaw ſeveral people: (there were four or five people voting:) they ſaid they would vote with me if I would give them leave. I voted in about a quarter of an hour: after that I returned back again, and ſaw the high conſtable, Mr. Clay, and talked with him a little while. After I left him; I heard ſomebody call out, They are coming! they are coming! Upon which I turned round, and ſaw four or five and twenty men, with ſticks in their hands, and white waiſtcoats. They ſeemed like carpenters. I went and ſtood by the eaſt-corner. I ſaw theſe men advance to the north-ſide of the booth. I did not ſee them ſtrike any body then. Much about the center of the booth they were called upon to take them into cuſtody. I heard that repeated ſeveral times; and preſently ſaw them ſurrounded by conſtables. I ſaw nothing but conſtables ſurround them. Immediately after that, I ſaw a hat thrown up from the crowd. As it was ſurrounded by the conſtables, who it came from I cannot tell. Very ſoon after that, I ſaw one conſtable lie flat on his back, and a broken ſtaff by him and a man; whether the man that ſtruck him I know not. Alſo a man very near him with a ſtick in his hand; but whether he ſtruck him or no, I cannot ſay: Immediately after that, I ſaw Mr. Clay, the high-conſtable, go to the aſſiſtance of the man that was down; and I ſaw that man that ſtood by ſtrike the conſtable twice; who he was I do not know. I then walked away.

Q. What did he ſtrike him with?

Wegg. A ſtick.

Court. Was this one of the men in a white waiſtcoat?

Wegg. I think he had a white waiſtcoat on. I will not be certain.

Q. Did you look back (when you heard the voice they are coming) to ſee where they came from?

Wegg. I ſaw them coming from towards the Caſtle-yard.

Q. Before this fray happened, did you hear any thing, or know any thing, from the general

opinion of thoſe that you converſed with, what the ſtate of the poll was, and how it would have been?

Wegg. I cannot be certain; but few of them that came with me could have polled.

Court. Is this yard a ſpacious yard, or how?

Wilſon. It is a ſpacious yard; one part is very wide.

Court to Wilſon. How were theſe people dreſſed that you ſay took away the ſtaves by your ſchool?

Wilſon. Grange was in black. I did not take notice of thoſe that were with him.

Court. How far is your houſe from the Caſtle-inn?

Wilſon. My ſchool-houſe is at the top of the Caſtle-yard. It may be 60 or 70 yards from the back gate.

Court. How many people came out of the Caſtle-inn?

Wilſon. Five or ſix, or ten perhaps.

Q. Had they any weapons?

Wilſon. I did not obſerve they had.

Q. Where did they go?

Wilſon. Towards the Huſtings.

Q. *to Wegg.* Whether the Caſtle-yard is not a public thoroughfair?

Wegg. I have rode through the Caſtle-yard. It is a long yard, and has a narrow paſſage for a little way, and then the yard opens, and is pretty wide.

Patrick Clark ſworn.

Patrick Clark. I was at Brentford election.

Q. What was your intent in going there Have you a vote?

Clark. I have no vote. I was hired by Mr. Broughton.

Q. What is Mr. Broughton?

Clark. He is one of the yeomen of the guards.

Q. What was the expreſs orders that you was to do?

Wilſon. We were to make way for the conſtables, for the gentlemen to come in, to keep peace and quietneſs, to make way for the gentlemen to come in, if called upon by the conſtables.

Q. What was you bid to do?

Clark. To open a way to the Huſtings, in caſe there was any obſtruction.

Q. When did you receive theſe inſtructions, for the firſt time?

Clark. As I ſet out for Brentford.

Q. Where did you meet?

Clark. At King-ſtreet, St. James's.

Q. Did you ſet out with any body elſe, or go alone?

Clark. I ſet out with more men.

Q. What time did you go to Brentford?

Clark. About ten or eleven.

Q. Had you or your companions any ſticks at all?

Clark. I had none; nor my companions, as I know of.

Q. Had they the ſame orders as you had?

Clark. Yes.

Q. Had they ſticks or no?

Clark. Some of them had. They had no large ſticks. Some of them had little rattans.

Q. Had any of you bludgeons, or any offenſive weapons?

Clark. No. Our orders were to have no arms.

Q. Was there any diſturbance for the firſt three or four hours?

Clark. No.

Q. Did you go to any houſe for refreſhment?

Clark. I went to the White Horſe. I was there a little before the riot happened. I was out upon the green two hours, and upon the right ſide of the huſtings. I ſaw a man with a large bundle of broom-ſticks.

Q. Where did theſe ſticks come from?

Clark. That I cannot ſay; to the beſt of my opinion from the Caſtle, or up that way.

Q. What leads you to ſay ſo?

Clark. They came upon the outſide the Huſtings, and threw them among the mob.

Q. Was that a mob ſtanding near the Caſtle?

Clark. No; it was on the right ſide of the Huſtings.

Q. Who was there to receive theſe ſticks?

Clark. There were a number of people there.

Q. I do not aſk the particular names; where the people belonging to your company?

Clark. No.

Q. Where thoſe you went with any of the people?

Clark. No.

Q. Had you any label in your hat?

Clark. Yes.

Q. What label was yours?

Clark. Proctor and Liberty.

Q. Had all your company theſe labels?

Clark. No.

Q. Had thoſe ſuch labels where the ſticks were thrown?

Clark. They were country people, or ſuch ſort of people.

Q. How long was this before the riot?

Clark.

Clark. This was about one o'clock.

Q. Where was you from that time?

Clark. I went to the White Horſe.

Q. Did you dine there?

Clark. No. I had ſome bread and cheeſe.

Counſel. That is a good dinner.

Clark. Better than I have had to day.

Q. Do you know any thing farther of the matter?

Clark. I know no more than that of their coming out of the Caſtle.

Croſs Examination.

Q. Pray what are you?

Clark. I am ſometimes a labouring man, and ſometimes a chairman.

Q. What acquaintance have you with Mr. Broughton?

Clark. He is no acquaintance of mine.

Q. How came Mr. Broughton to hire a man he knew nothing at all of?

Clark. To keep the peace at Brentford; that was what he told me.

Q. When did you meet Mr. Broughton about this?

Clark. A day or two before the election.

Q. Where?

Clark. In King-ſtreet, at the Swan.

Q. How many men were to be in your party?

Clark. Ten and I.

Q. Was Mr. Broughton to go with you to Brentford?

Clark. No.

Q. What were the other ten?

Clark. Some one thing and ſome another.

Q. Did not you know ſome of the men that were to aſſiſt you?

Clark. Some of them were ſervants.

Q. What, livery ſervants?

Clark. No; ſervants out of place.

Q. Were not ſome of them chairmen?

Clark. Yes.

Q. What was Broughton to give you?

Clark. A guinea. I was to ſtay during the election.

Q. Had you all cockades of Procter and Liberty?

Clark. I had one.

Q. Had the other men that were with you?

Clark. Yes.

Q. When you went to Brentford, how early was you there?

Clark. At eight o'clock.

Q. Was your directions to ſet out ſo early?

Clark. Yes.

Q. Had you this direction from Broughton?

Clark. Yes. We were to go all together.

Q. Who was to have the conducting of this body?

Clark. I do not know that any body had, only to go there.

Q. Was you directed to go to this White Horſe?

Clark. Yes, or any of the houſes of Sir William that were open.

Q. Who directed you to that?

Clark. Mr. Broughton ſaid there were houſes open to receive us.

Q. You went to the White Horſe; how came you out upon this common? You was not keeping the peace to aſſiſt thoſe voters. What did you do there?

Clark. I was doing neither good nor harm.

Q. You tell us, your employ was to aſſiſt the voters. What did you do there?

Clark. That is round the Huſtings.

Counſel. So about one o'clock you ſaw men coming with bundles, and threw ſticks down for any body to pick up that pleaſed.

Clark. Yes.

Q. Did they go away then?

Clark. I cannot tell. I was called out to dinner, and ſtaid there till paſt two o'clock.

Q. Then you ſaw nothing of this riot?

Clark. I ſaw one or two ſtruck, but if I was to die, I did not ſee any body knock'd down.

Q. A man came and call'd half of you that were to go to dinner, and the other to ſtand together. Did you underſtand him?

Clark. I underſtood no further by that, than that we were to go to dinner.

Q. Did you know the man that came to call you?

Clark. No.

Counſel. Then, when you returned, all the riot was over, and the miſchief done. And you do not know the man that call'd you.

Clark. He was a man for Sir William.

Q. Where did you go to dine?

Clark. I do not know.

Counſel. Then you had an invitation by an unknown man to an unknown place to dinner.

Q. Have you dined now?

Clark. Yes.

Counſel. And as ſoon as you ſaw theſe ſticks thrown down, you went into the White Horſe, and ſtaid there till the riot was over.

Clark.

Clark. Yes.

Q. How did that anſwer your purpoſe of going to keep the peace?

Clark. When I was called out, it was all one.

Q. How many ſuch companions were there belonging to Sir William?

Clark. There were ſixteen or ſeventeen.

Q. Were there any other perſons that went down for Sir William beſides you eleven?

Clark. I do not know.

Q. Then who were theſe ſixteen or ſeventeen?

Clark. They had on the ſame favours that I had.

Q. Did they appear like chairmen or ſervants?

Clark. They did not appear in chairmen's clothes.

Q. Were they like ſervants in livery?

Clark. No.

Q. Was you in chairmen's clothes?

Clark. No.

Q. Did you know any one man beſide yourſelf that was there?

Clark. I knew one chairman beſide myſelf.

Q. Who was he?

Clark. One of theſe men, Balſe.

Q. Was he of your party?

Clark. He was not.

Q. Was he in the room with you?

Clark. Yes.

Q. Who were the others?

Clark. One man that went with me.

Q. Who was he?

Clark. One Tippin.

Q. Who where the others?

Clark. I know them by ſight, but not by name.

Q. What is Tippin?

Clark. He is a chairman.

Q. Do you know his Chriſtian name?

Clark. It is Robert.

Q. Do you know any others of theſe people with Proctor in their hats, beſides Tippin and Balſe, that kept company with you?

Clark. There were ſeveral beſides, whoſe names I do not know.

Q. Did Balſe ſtay in the room with you while the riot happened?

Clark. I do not know whether he was in the room. I cannot ſay.

Q. Did you know any of the conſtables in Brentford?

Clark. No; I did not.

Q. Did you enquire for any of the conſtables at Brentford?

Clark. No; I did not.

Counſel. Then you did not tell any of the conſtables at Brentford, you was come by Mr. Broughton's order to aſſiſt them.

Clark. No.

Thomas Stone ſworn.

Thomas Stone. I was at the election at Brentford.

Q. Do you remember about the middle of the day, when a great number of people were coming to poll for Sir William Beauchamp, what paſſed upon the news coming?

Stone. There were, I believe, about twenty carriages, and a great many horſemen; and as they came by the booths, a great many people with Glyn's favours in their hats hiſſed them: and there was a young fellow, with a browniſh coat, and his own hair, cried out, Proctor for ever! Upon which one of theſe men knocked him down. Then Mr. Pierce went up among the croud, and the people with Glyn in their hats ſaid, Kill him, he is a madman. We got him and hurried him away. Soon after that, I went to the Royal Oak. I there ſaid, There were a vaſt number of voters on behalf of Sir William, to the amount of two or three hundred; and that I was pretty well aſſured Sir William would get ahead of Mr. Glyn in the poll ſpeedily. Upon which, ſeeing one David Harper, of Spitalfields, with two favours in his hat, one on one ſide, and the other on the other, with Glyn on one, and the other plain, I ſaid, What do you do with one of theſe favours in your hat on each ſide? Are you not afraid of yourſelf in one of Proctor's houſes? His anſwer was, I muſt go and take care of my poſſy.

Q. What! Glyn was the plain one?

Stone. They were both of the ſame colour; one was a paler blue than the other.

Q. Were there not many in Serjeant Glyn's intereſt that day, that wore plain blue ribbons?

Stone. I believe there might. I then mentioned the number of coaches and carriages that came upon votes. I muſt go and take care of my poſſy, and ſtruck me. I had no favour at all in my hat. I went from thence to the Huſtings, where I ſaw ſeveral men with Glyn's labels in their hats ſtrike ſeveral of Proctor's people.

Q. What time was this?

Stone. This was about two o'clock, as near as I can gueſs. This was after we had been out a great while, for we could not get up to

to the Huſtings at firſt. It was difficult to get up. People were hoiſted over people's heads to vote.

Q. What hindered them?

Stone. Moſtly Glyn's people. I ſaw them ſtrike Proctor's people about two o'clock. Then the hat was thrown up. I was upon the left ſide of the Huſtings.

Q. Where was the hat thrown up from?

Stone. Juſt by, where theſe men were that ſtruck the others. The Huſtings ſtood north and ſouth; and I underſtand, as my face was fronting the Huſtings, it was on my left hand. Upon the hat's being thrown up, a general inſurrection followed all round. The people on each ſide were, ſome defending themſelves, and ſome aſſaulting. I ran from one part of the Butts to another, till I made my eſcape. I wanted to ſend out to know what was become of Harper; they told me that he fled immediately out of that houſe, and was gone.

Q. Did you meet the people coming from the Huſtings ſoon after?

Stone. I ſaw the people with their poll-books in their hands, running as faſt as they could; and I turned back to the houſe again.

Q. Was there any inſults after that?

Stone. When I got in again, news came, that the mob was coming to pull the houſe down. There were ſeveral panes of glaſs broke.

Q. Were there not a number of people about the door?

Stone. I could not ſee. I was in the kitchen. I went upon the Butts again, and ſaw them breaking the window of a gentleman's houſe.

Q. Whoſe people were they?

Stone. They were dreſſed like country men; like brickmakers, or farmers ſervants.

Q. Whoſe houſe was that?

Stone. It was the houſe that Sir William Beauchamp Proctor went into.

Q. Where is that houſe?

Stone. It was one ſide of the Huſtings.

Q. How many were there of them?

Stone. There were about 12 or 13 of them, and they d——d Sir William, and ſaid, they would have his blood. I ſtayed there till the ſheriffs and high conſtables came and took one of the mob, and delivered him to one of the high-conſtables.

Q. Do you know who that was?

Stone. No; I do not.

Q. Do you know what became of him?

Stone. The conſtable let him go, by deſire of the ſheriffs. They ſaid it would be dangerous keeping him. They ſhould run the hazard of their lives.

Croſs Examination.

Counſ. You mention ſomething of Mr. Harper.

Stone. I have known him many years.

Q. What is he? Is he a peace-officer?

Stone. I do not know what he is.

Q. Are there not affidavits about it in the papers?

Stone. I made one myſelf.

Court. I can only ſay this, that I am exceedingly ſorry to ſee it. It is the moſt improper in the world, and of the moſt dangerous tendency to inflame the minds of the ſubjects. It is improper to hear any thing about affidavits one way or other.

Counſel. There is an affidavit of your's in the paper.

Stone. Not that I know of.

Q. You ſay there was a hat flung up?

Stone. I have ſaid ſo.

Q. What part was it flung up from?

Stone. From the left ſide the Huſtings.

Counſel. You ſay it was thrown up where the ſcuffle was.

Stone. Yes.

Q. Were the People that were ſcuffling incircled by other people?

Stone. The whole Butts were incircled by a thouſand people.

Q. Were a circle of people round the hat?

Stone. There were people every where.

Counſel. You ſay, that they that came to vote for Sir William Beauchamp Proctor, were handed over the people's heads.

Stone. I ſaid ſeveral; there were three or four.

Counſel. Then thoſe people that were round the Huſtings ſuffered others to be hoiſted over their heads.

Stone. Yes.

Counſel. Then the people that were cleared away from the Huſtings in the riot, muſt have been Serjeant Glyn's friends.

Stone. I ſaid the Huſtings were chiefly ſurrounded by people with Glyn's favours in their hats.

Counſel. Then you know nothing at all of the clearing the Huſtings.

Stone. No more than I have ſaid.

Counſel. Then you do not know who were the

poſſeſſors of the Huſtings at the time the hat was thrown up.

Stone. The ſheriffs.

Q. Who were round the Huſtings at the time of flinging up the hat?

Stone. They had Glyn's favours in their hats.

Counſel. Theſe people that were cleared away from the Huſtings at that time by the rioters, were chiefly with Glyn's favours in their hats, or were they not?

Stone. Yes.

Counſel. You ſay you afterwards ſaw Glyn's mob breaking the houſe where Sir William Beauchamp Proctor was.

Stone. Yes.

Q. Did you not ſuppoſe that to be the ſame mob that were clearing away the people from the Huſtings?

Stone. I was not there at the time.

Counſel. You ſay they were d—ing Sir William, and all the Iriſh gang.

Stone. Yes.

Q. Who did you take to be meant by that?

Stone. The people with Proctor's favours in their hats, above one hundred. I had heard people ſay in the morning that Sir William had hired ſome men.

Mr. Impey. Did you ſuppoſe this Iriſh gang to be the people that ſaid they would have Sir William Beauchamp's blood?

Stone. The other people ſaid ſo.

Serjeant Burland. At the time theſe people were ſwept away from the Huſtings, there were a great many ready to poll.

Stone. Yes.

Edward Roberts ſworn.

Edward Roberts. I was at Brentford on the 8th of December, at the Three Pigeons, and about the Butts.

Q. Was you there before the riot began?

Roberts. Yes; I obſerved between the hours of one and two, to the beſt of my remembrance, there might be about thirty men aſſembled together, with favours for Mr. Glyn.

Q. Had they any thing in their hands?

Roberts. They had white ſticks. One of the men ſaid, he would fight any one of Mr. Proctor's men, and ſwore a bitter oath.

Q. Did this man make any noiſe?

Roberts. He cried out, Glyn for ever, and no Proctor; ſeveral of them cried out ſo. That man ſtripped, and with the ſtick he had in his hand, he ſtruck ſeveral people that had favours in their hats for Proctor.

Q. How did theſe people behave with favours in their hats before they were ſtruck?

Roberts. They behaved peaceably; I ſaw no diſturbance by any of them. I went off through the Three Pigeons Yard.

Q. When did the riot begin?

Roberts. For what I know that was the beginning of it. I went away directly.

Q. What time did you go to Brentford?

Roberts. About eight o'clock in the morning.

Q. Was you there all the time?

Roberts. No. I might be there about an hour and a half before that.

Croſs Examination.

Q. Are you a freeholder?

Roberts. No; I went there with my own free will.

Q. Had you a favour?

Roberts. No.

Q. What are you?

Roberts. I am a plaiſterer by trade. As I was coming through the Three Pigeons Yard, I had like to have had my brains knocked out.

Dennis Cullom ſworn.

Dennis Cullom. I was at Brentford on the 8th of December. I ſaw but very little. I ſaw a man, about one or two o'clock, ſtripped, and offered to fight any of Proctor's Iriſh gang; immediately I left the Huſtings, and returned again in about half an hour, and ſaw them all in confuſion, and I made the beſt of my way out of town. That was all I ſaw of it.

Abraham Pierce ſworn.

Abraham Pierce. I was at Brentford on the 8th of December with Mr. Thomas Stone. I was at the farther end, where the Butts, as they call them, then were. There ſtood a parcel of men; one of them ſaid, There come the country gentlemen! as they call them. When the country gentlemen came in, this man ſtrutted out, and ſaid, D—n you; now Proctor!—a young fellow juſt by the ſide of me, with a gold laced hat, and light-coloured wig. Two of theſe fellows came up and ſaid, What do you ſay? he ſaid, I ſay Proctor for ever. They came on each ſide of him, and knocked him down and beat off his hat and wig.

Q. How were theſe diſtinguiſhed?

Pierce. They were on my left-hand ſide, the young fellow was on my right.

Q. Had they any cockades in their hats?

Pierce. They had none that I ſaw. I laid hold of the young man, and ſaid every man is willing

willing to give his voice for his friend. They ſaid he was out of his ſenſes, and they would duck him. They came and hawled him out of my hands. What they did with him I know not.

Q. How ſoon after was the great riot?

Pierce. From thence I went towards the town, to a little alehouſe. There were ſome headboroughs there; they were waving their ſticks, with favours of Glyn in their hats. Some were deſiring the officers to take the ſticks from ſome men. I ſaid to the officers, I would not mind theſe ſort of people; as they are quiet, let them alone while they are ſo. An officer ſaid he had taken ſticks from two of them. While I was talking, a ſet of fellows came up, and ſaid, Where are they? and they went to battle royal with ſticks. That was all that paſt as I ſaw. I never was at Brentford before.

Q. How far was this from the Huſtings?

Pierce. About an hundred and fifty yards, I do not ſpeak particularly. I made the beſt of my way home. I went to the upper end of the Huſtings, there were two ſets of people fighting one againſt the other.

Counſel. I thought you went away then.

Pierce. I ſtayed till they began to clear the Huſtings; they went up to the Huſtings, and then went round: when I ſaw there was nothing but miſchief, I made the beſt of my way, as faſt as I could.

Counſel. You did not ſuppoſe they were all on one ſide, when they fought.

Pierce. I did not look upon it they were.

Q. What were this ſet of fellows that came up, who did they come up to?

Pierce. They came up to the headboroughs, and were attempting to make a riot.

Q. Upon whoſe ſide did they come?

Pierce. Upon the headboroughs ſide; theſe men had Glyn in their hats.

Q. What ſet of men were theſe that came up with their ſticks, were they Glyn's people?

Pierce. They were a ſet of people; but where they came from I cannot tell.

Q. How were they diſtinguiſhed?

Pierce. Some had Glyn, and ſome had Proctor in their hats.

Q. How many country fellows were there offering to take their ſticks from them?

Pierce. There were two county men ſtanding; one would not part with his ſtick ſo eaſily to the officer, and the officer up with his long ſtaff and knocked him down. Then up came theſe other fellows.

Q. What number of people might be about them?

Pierce. I believe thirty or forty; they began to ſcout as faſt as they could.

Q. Had theſe people any thing in their hats?

Pierce. Some had Proctor and Liberty, and ſome Glyn. It was done all in the twinkling of an eye. This was done juſt at the time when a great parcel of people were coming to poll.

Q. Did you ſee any thing of what was done after?

Pierce. They had deſerted the Huſtings. Sir William went into a houſe, and they broke the windows: they d—d Proctor, and cried, *Pull him out, Pull him out!* They got bricks from a wall, and threw at the window.

Q. How many might be fighting in the ſtreet?

Pierce. There were ſeveral. I ſaw others throwing ſtones in the ſtreet. There were two fellows in the yard.

Q. Had theſe people any cockades in their hats?

Pierce. I did not ſee any.

Counſel. You are a freeholder, I believe.

Pierce. No, I am not. Two gentlmen aſked me to go with them. I live in Spitalfields.

Mr. Sheriff Shakeſpear ſworn.

John Shakeſpear, Eſq; In conſequence of the notice that we gave, we proceeded to Brentford, and was there by nine o'clock: we then took every neceſſary ſtep to proceed in the election, and I believe, before the commencement of the poll, it was eleven o'clock, or more; I cannot ſpeak preciſely to a quarter of an hour, but I believe, the ſwearing of the clerks, and the like, had taken up the time to then. From eleven o'clock, till about two, I never ſaw a poll go on more regular in my life time. About two o'clock a violent mob came down from the corner next the Caſtle, near the charity-ſchool. I take it that the booth, I am not quite clear, ſtood, as near as can be, north and ſouth, and therefore this was at the north-eaſt corner, at the end where the door is. It appeared to me, that a number of people came down from that corner. The attack was extremely violent; they delivered their blows indiſcriminately and to the beſt of my judgment, the whole affair did not laſt more than from three to five minutes. I do not think it laſted longer, for they diſperſed as quick as they came on; ſo that it was very

very sudden in its rise and execution; extremely so. As fear increases numbers, many people that were by me, were of opinion, there were a great number; but I do not think, that the acting men exceeded twenty-five or thirty at the most; many of our clerks, and the cheque clerks, were driven away from their stations; for there was a general riot. Mr. Halifax and myself immediately called upon our under-sheriffs to go with us, to consider of what was proper to be done. We adjourned till next morning, in a legal manner, and then proceeded to read the riot act. A great number of country people naturally came round the booth; I saw only one of the rioters that attempted to come upon the polling place. Those that I call the rioters, were gone at that time. I went up to Mr. Drinkwater's, where the people were breaking the windows, and I remember one man in a white jacket was running upon the wall.

Q. Was that the house where Sir William had retired to?

Answer. I understood it so. I have not seen Sir William from that time to this.

Q. What were they doing at that time?

Answer. They were d—ning Proctor, and the like.

Q. Whose interest was Mr. Drinkwater in?

Answer. In Sir William Beauchamp's, I suppose.

Croft Examination.

Counsel. I understand that from eleven o'clock till this riot, every thing was very quiet.

Answer. It was.

Q. Whether that was not armed mob, fighting with another armed mob, or whether it was a body of armed men coming down, and attacking those that were unarmed, about the polling place?

Answer. It was that that struck me particularly; those seemed to come all from one quarter, as one mob. It had that appearance to me.

Q. How were these men you call acting men armed?

Answer. They seemed to have white sticks, of near three feet long.

Q. Whether these persons that were afterwards at the house where Sir William was were they the same people, or others?

Answer. They dispersed themselves when we came up, so that I cannot tell. The man that was running on the wall, he seemed to be a baker's servant. He was gone when we came.

Q. Whether this man that you saw approach the booth, and get upon it, spoke to Sir William?

Answer. No. Nor did I see any person strike upon the booth.

* *After Mr. Justice Gould summed up the evidence, the jury withdrew, and returned in about twenty minutes, and brought in their verdict, Both Guilty.*

Death.

† *They moved in arrest of judgment, which was argued on Monday the fourteenth, but it was overruled by the court, and they received sentence to be executed on the Wednesday following, and their bodies dissected and anatomized.*

Whereas several errors in the former part of this trial, through the hurry of preparing it for the press, have past unnoticed; it is hoped the candid reader will correct as follows: viz. in page 97, line 17 of the second column, for yet revolving *read* not revolving. *line 27 from the bottom, dele the word* not; *and line 14 from the bottom, for* I did *read* I did not; *and add the word* Mr. *to those Lawyers names, above omitted some pages before.*

The above errors are some of the many that may occur in the former part of this trial, especially in that part of it where the short-hand writer has given, from his minutes verbatim, what he could collect from the Judges and Recorder; which he confesses has not been done to the satisfaction of those gentlemen or himself, and which he should not have printed on this occasion, if he had not been convinced the public should have an exact copy of his minutes, that there might be no suspicion that he had suppressed any thing which had occurred in this remarkable trial. The conclusion of Mr. Justice Aston's speech, and the last part of what fell from the Recorder, he is sensible, is very imperfect in writing.

THE WHOLE

PROCEEDINGS

ON THE

King's Commission of the Peace, Oyer and Terminer, and Gaol-Deliv

FOR THE

CITY of LONDON;

And also the Gaol-Delivery for the

County of MIDDLESEX;

HELD AT

Justice-Hall in the OLD-BAILEY,

On [illegible] the 21st, [illegible] 1763.

In the Ninth Year of His MAJESTY's Reign.

Being the Eighth SESSION in the MAYORALTY of

The Right Honourable *Samuel Turner*, Esq;

LORD-MAYOR of the CITY of *LONDON*.

NUMBER VIII. PART I.

LONDON:

Sold by S. Bladon, at No. 28, in *Paternoster-Row*.

THE PROCEEDINGS ON THE King's Commission of the Peace, Oyer and Terminer, and Goal-Delivery, held for the City of LONDON, &c.

BEFORE the Right Honourable SAMUEL TURNER, Esquire, Lord Mayor of the City of *London*; Sir Sidney Stafford Smythe, Knt. one of his Majesty's Barons of the Court of Exchequer *; Mr. Justice Bathurst, one of his Majesty's Judges of the Court of Common Pleas †; James Eyre, Esq; Recorder ‡; and others of his Majesty's Justices of *Oyer* and *Terminer*, of the City of *London*, and Justices of *Goal Delivery* of *Newgate*, for the said City and County of *Middlesex*.

London.	Middlesex.
John Welling,	Charles Mills,
Anthony Gillman,	William Jones,
John Jones,	William Bayne,
Thomas Carrington,	Rich. Longbothom,
Thomas Mould,	Joseph Tidmarsh,
Joseph Potter,	Thomas Dormer,
John Gray,	Thomas Monday,
Benjamin Hulett,	Joseph Hart,
William Ransum,	John Gee,
John Keene,	William Kline,
John Tompkins,	Richard Maddock,
Daniel Pocker.	Hans Jennis.

550. *(L.)* Joseph South was indicted for stealing twelve silver tea-spoons, value 20s. one pair of paste shoe-buckles set in silver, value 3s. one dog-skin instrument case, with instruments thereto, as silver bow-scissars, a pen-knife, a pair of steel knippers, &c. one fish-skin pencil-case, mounted with gold, a pair of cornelian sleeve-buttons, and two gold rings, the property of Thomas Millison, privately in the shop of the said Thomas, October 31.

Thomas Millison. I am a goldsmith, and live in Cornhill. The prisoner was my errand-boy. About a month last Monday he was gone out, and was accused with another offence and brought back to my house, into my counting-house, where he was searched, and an etwee-case and a gold pencil-case were found upon him. He then confessed he had in one of his boxes up stairs two dozen of silver tea-spoons. The box was brought down; there we found them; and a pair of cornelian sleeve-buttons, with a pair of stone buckles, were taken out of his coat pocket that was in one of his boxes; also two gold rings were in one of his boxes. *(Produced in court, and deposed to.)*

Thomas

N. B. *The* *, †, *and* ‡, *refer to the Judges before whom the Prisoners were tried.*
L. *London*, M. *Middlesex Jury.*

Thomas Branſton. I am ſervant to the proſecutor. Thoſe things are his property; I know them by often ſeeing them, as well as by our private mark on the ſpoons. I was preſent when ſome things were found; ſome upon the priſoner, and ſome in his box.

Q. How old is the priſoner?

Branſton. He is about fifteen or ſixteen years of age.

Priſoner's Defence.

I ſaw the things lying about, and I took them up.

Guilty of ſtealing, but not privately in the ſhop. T.

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551. *(M.)* Richard Branſtip was indicted for ſtealing a linen bed-quilt, value 2l. 2s. two counterpanes, value 4l. 4s. one linen coverlid for a table, value 2s. 6d. two yards of callico, two pair of women's muſlin ruffles, a pair of minninet ruffles, tippet and tucker, three minninet handkerchiefs, a minninet lappet, tippet, and tucker, a black ſilk cloak, four metal candleſticks, plated with ſilver, a linen handkerchief, twelve linen ſhifts, a muſlin tillet, a black ſilk ſack and coat, fringed with ſilk lace, a bombazeen ſack and petticoat, thirty-ſix ſilver medals, ſeven enamelled gold rings, a paper ſnuff-box, a copper medal, a braſs medal, a chryſtal locket ſet in gold, a ſtone breaſt-buckle ſet in ſilver, a load-ſtone ſet in ſilver, a linen ſheet, a ſilk tippet, a leather pocket-book and pencil, a ſhagreen box, and a cornelian ſeal, the property of Ann Fonnereau, widow; one woman's ſilk gown and petticoat, value 3l. four other ſilk gowns, a ſilk petticoat, two ſilk fly petticoats, and a ſilk cloak, the property of Ann Bramley, ſpinſter; a fuſtian frock, value 5s. a gray cloth coat, and a brown cloth coat, the property of Henry Wollaſton, in the dwelling houſe of Ann Fonnereau, June 27.

Suſanna Monteith. I was left in care of Mrs. Fonnereau's houſe in Wellbeck-ſtreet, Cavendiſh Square, when ſhe went out in May laſt; ſhe was gone ſixteen or ſeventeen weeks, and the priſoner viſited me about four times in that time. The firſt time was about a month after my miſtreſs was gone; the next about a fortnight after; and the next about a fortnight or three weeks after that; the firſt and ſecond time he aſked to go into the garden to get a bit of jeſſamin.

Q. What is the priſoner?

Monteith. He was a gentleman's ſervant out of place.

Elizabeth Wally. About four weeks ago, or upwards, the priſoner brought a ſattin gown and coat, and deſired me to pledge them. I aſked him whoſe property they were; he ſaid they belonged to one Mrs. Gray in Whitechapel: he ſaid ſhe had a great many things in pawn, and ſhe would be glad to ſell ſome to redeem others. The ſame week he brought a crimſon gown and ſome pieces of ſilk. I went and ſold them, and brought him the money. While I was out ſelling them, he brought ſome other things; eight ſhifts, and a muſlin toilet for a table. I could not get the value of them, ſo I brought him them again. After that he aſked me to go out with them again. Then he brought a ſack and coat, and ſet the price five guineas. There were other things he brought alſo, but I did not ſell them; a black bombazeen coat, a callico counterpane, but no linen, a cradle quilt worked in the ſame manner. I ſold the ſattin gown and coat to Mr. Everingham: the priſoner and a woman were with me at that time. I ſold a ſmall ſpotted one, and ſome pieces of ſilk, to John Gilder. The priſoner told me he ſold the ſhifts to Mr. Phillips. I ſold a black ſack and coat to Mr. Phillips. I gave the money I ſold them for to the priſoner. After that the priſoner's aunt came; her name is Dyſon; ſhe aſked me if I had ſeen Richard that day. I ſaid, How came he to ſell ſo many clothes? I ſaid he told me they belonged to Mrs. Gray in Whitechapel. She ſaid they were none of Mrs. Gray's; then I thought I had been led wrong. I then ſent my brother-in-law and others after him, and they brought him to me. I begged of him to tell me whoſe property they were; he ſaid they were Mrs. Gray's. I ſaid I would go with him to her, and if ſhe ſaid they were her things, I would releaſe him. After that, ſomebody ſaid they were none of her's, and he ſaid the ſame; then he was ſent to the watch-houſe.

Q. Were do you live?

Wally. I live in Caſtle-ſtreet, Oxford-Market.

Q. What do you do for a living?

Wally. I get my bread by waſhing. I have waſhed for the priſoner I believe two years.

Priſoner. That evidence did ſell the things for me.

Ebinezer Everingham. About the 15th of laſt month I received thoſe things of the laſt witneſs. *(Producing a ſilk gown.)* The coat I had of her, but that I ſold. I gave two guineas and a half for them.

Ann Bramley. This is my gown: I left it in

a box in Mrs. Fonnereau's house, when I went out with her the 21st of May to Tunbridge.

John Glover. I bought a gown and coat of Mrs. Walley, and a large piece, and several small pieces of silk. *(Produced in court.)*

The profecutrix depoſed to the ſmall pieces, and Mrs. Bramley to the others.

Charlotte Phillips. Mrs. Walley brought eight ſhifts to my ſhop: I bid her fifty ſhillings for them, but ſhe would not take the money. She came again the next day, and another perſon with her. I bought them of the other woman, named Smith, for two guineas, and a toilet and other things with them. *(Produced in court, and depoſed to by Mrs. Fonnereau.)*

Walley. Theſe are the things the priſoner ſent me with.

Mary Smith. I carried eight ſhifts, and the other things, to Mrs. Walley. There were two coats, a counterpane, and a cradle quilt. Theſe are the things here produced: I ſold them to Mrs. Phillips.

Charles Murtbwaite. The priſoner brought a great many things to my houſe to pawn, with two pair of candleſticks plated with ſilver, on the 13th of September: he ſaid he brought them from a lady. *(Produced, and depoſed to by proſecutrix.)*

Murtbwaite. Theſe I alſo received of the priſoner. *(Producing a black ſilk cloak, depoſed to by Mrs. Bramley.)*

Murtbwaite. Theſe I had alſo of the priſoner. *(Producing three men's coats, depoſed to by Harry Wallaſton, ſervant to Mrs. Fonnereau.)*

Edward Hole. I live in Caſtle-ſtreet, and am a pawnbroker. I received ſix gold rings and ſome medals of the priſoner at different times. *(Produced in court.)*

Mrs. Fonnereau. Theſe are my property. There are thirty-three medals.

Richard Rumbolt. I am a pawnbroker, and live in Vere-ſtreet. I received this tippet and two counterpanes of the priſoner, and ſeveral other things. *(Producing a large quantity of wearing apparel, depoſed to by proſecutrix.)* He told me they were the property of one Mrs. Gray, who he ſaid was in diſtreſs.

Richard Jones. I am a conſtable. I was directed to ſearch the priſoner's lodgings, on the 25th of September, where I found, in a drawer, a ſheet, a black tippet, a pocket book, and ſeveral medals. *(Produced, and depoſed to by proſecutrix.)* The priſoner was aſked if the proſecutrix would not miſs the things when ſhe came home; his anſwer was, ſhe would find a conſiderable deficiency.

Mr. Stokins. I had this ring of the keeper of the watch-houſe where the priſoner was. *(Produced, and depoſed to by proſecutrix.)*

Sarah Jacobs. I am ſervant to Mrs. Phillips. I bought a ſack and coat of Mrs. Walley, and ſold them the next day.

Stokins. When the priſoner was before the Juſtice, I heard him ſay he took the things out of the houſe, at the fore door, at four times. I ſaid, Then you muſt have a key. He ſaid he had a key, and he left the door a jar each time, and that the maid was a waſhing below, when he brought them out, and gave them to three men, who took them away.

Q. to Mrs. Bramley. Is there a key-hole on the outſide of the ſtreet-door?

Mrs. Bramley. There is. The back-door goes out into Marybone-lane. All theſe things mentioned were left in the houſe when we went out.

Priſoner's Defence.

I was drinking with a couple of men, who brought theſe things to me, and I lent them ſome money upon them; but they not coming again to their word, I took and ſold ſome, and pawned others.

Guilty. Death.

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552. *(M.)* Andreas Fredrick Langren was indicted for breaking and entering the dwelling-houſe of William Norman, on the 9th of October, about the hour of twelve in the night, and ſtealing four china punch bowls, value 10s. and 20s. in money numbered, the property of William Norman, in the dwelling-houſe of the ſaid William.

William Norman. I am a victualler, and live at Limehouſe; my houſe had been broke open before, but the laſt time it was broke open was this day ſe'nnight at night. We went to bed about eleven, and made the door and windows all faſt; a gentlewoman came to the door and called out that the houſe was broke open, and deſired us to get up. I got up, and found a back window was broke open. I miſſed four punch bowls. I alſo found my till was broke. I miſſed ſome money out of it, but cannot ſay how much.

Q. Why do you charge the priſoner?

Norman.

Norman. He was catched in breaking open my neighbour's houſe: then he confeſſed to the breaking mine. I heard him own to it before the Juſtice. He owned he had broke into my houſe five times. He ſaid he broke in this time about two in the morning, and had taken four punch bowls, and three handfuls of copper, and that nobody elſe was with him.

Q. How was the window broke?

Norman. There was a whole light taken out over the kitchen door; but he could not get in there, ſo he came and broke a ſhutter of the back room window, and came in that way, where he ſaid he had been in before.

Q. What is the priſoner?

Norman. He is a ſea-faring man. He did work for me about a month.

Elizabeth Maſon. I ſaw the houſe was broke open between five and ſix that morning, and I called the proſecutor up.

Priſoner's Defence.

I do not know any thing at all about it. I belong to the Pacifick Indiaman, and have been at home about five months.

Guilty. Death.

There was another indictment againſt him for burglary.

553, 554, 555. *(M.)* John Leveredge and John Cook were indicted for ſtealing a ſilver watch, value 30s. the property of Digory Maſters; and Joſeph Mahan for receiving the ſame, well knowing it to have been ſtolen, Auguſt 29. †

Digory Maſters. On the 29th of Auguſt the two boys at the bar, Leveredge and Cook, came into my ſhop under pretence to buy a pair of ſhoes. I ſhewed them a pair, but they ſaid they would not do. I turned my back to ſee for another pair, and I ſuppoſe then they took my watch. I know it was hanging up in its place when they came in, and I miſſed it in about a quarter of an hour after they were gone. About three weeks after Mr. Wright, the keeper of Tothillfields Bridewell, brought Leveredge to me, who confeſſed that they took it at that time.

John Glyn. I took in this watch of a woman that lives with Mahan; on the 13th of September ſhe fetched it out again, and Mahan brought it again on the 15th.

George Rimer. I am going in my fifteenth year of age. Leveredge and Cook went into the ſhoemaker's ſhop to buy a pair of ſhoes. I ſtood without at the corner. Cook came out firſt with the watch, and ſaid, I have got the watch, let us run away. We did. After that Leveredge ſold it to Mahan for fifteen ſhillings.

Q. Did Mahan aſk you how you came by it?

Rimer. He knew how I came by it; he uſed to be always buying of things. He has bought other things of boys.

Q. What is he?

Rimer. He is a ſhoemaker by trade.

Q. What is Leveredge?

Rimer. He is a plaiſterer.

Glyn. The boy Rimer told me it was ſold for twelve ſhillings.

Rimer. Mahan bought two watches of us; he gave twelve ſhillings for one, and fifteen for the other.

Q. What is the watch worth?

Glyn. I lent ſixteen ſhillings upon it.

Leveredge's Defence.

I went into this man's ſhop to buy a pair of ſhoes: he had none that would fit me. Cook was gone about five minutes before me. He and Rimer ran away. I did not ſee them till the Monday: then they aſked me to go with them to ſell a watch, but I had none of the money.

Rimer. We ſold the watch the ſame afternoon that we took it.

Cook's Defence.

Rimer met me coming out at the door: he had a watch, and he went and ſold it. I had none of the money indeed.

Mahan's Defence.

Laſt Saturday was a month this young fellow came up to me, that is, Leveredge. I never ſaw any body but him. He aſked me to mend his ſhoes. I ſaid I had but ſix-pence about me to buy leather. I ſaid, If you will give me a ſhilling, I will go about them on the Monday morning. He ſaid he had no money. He had a watch, and deſired me to go and pawn it for him. I went and left it with Mr. Glyn for ſixteen ſhillings. I never ſaw him after till before Sir John Fielding.

Leveredge acquitted. Cook guilty. T. *Mahan guilty.* T. 14.

(M.) John Cook and John Leveredge were a ſecond time indicted for ſtealing a ſilver watch, value

value 30s. the property of John Salt, September 15. †

John Salt deals in clothes. The three boys went in, and while one was trying a coat on, another of them took his watch, which Rimer had seen hanging up the day before, and had told the others of it, and they went on purpose to take it.

Both guilty. Leveredge B.

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556. *(M.)* Richard Neil was indicted for ſtealing a ſilver watch, value five guineas, the property of John Leith, October 5. †

John Leith. I am a labouring man, and live in St. Giles's. I thought the boy at the bar was ſtarving, ſo I took him home on the Tueſday, and he ſeemed to behave very well; on the Wedneſday and on the Thurſday I miſſed him, and my watch from hanging on a nail. I went to Sir John Fielding, and got ſome hand-bills diſtributed about, and the watch was ſtopped and brought there.

Andrew Purſeil. About five minutes before the watch was brought to me, I had a hand-bill delivered to me from Sir John Fielding. A ſoldier, name Kirk, brought the watch to pledge, and I ſeeing it anſwered the bill, ſtopt it, and took the ſoldier before Sir John.

John Kirk. I am a ſoldier. I had this watch of a man, named Alſop. I carried it to pawn, and was ſtopt with it.

John Alſop. I was centry at Whitehall guard, when the lad at the bar came and ſhewed this watch to me. He ſaid he found it in a piece of flannel, in the Strand. He aſked us if we would be ſo good as to go and pawn it.

Q. Did you know the priſoner before?

Alſop. I never ſaw him before, to my knowledge. *(The watch produced, and depoſed to by proſecutor.)*

Priſoner's Defence.

I took the watch, and carried it to the ſoldier, who was to give me nine ſhillings for it.

Guilty. T.

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557. *(M.)* Ann Kidder, ſpinſter, was indicted for ſtealing eleven yards of lace, value 3s. and four pair of women's leather gloves, value 1s. the property of Richard Groom, October 7. †

Elizabeth Groom. I am wife to Richard Groom. The priſoner has worked for me between eight and nine years, in making up cloaks and hats: ſhe came to my houſe almoſt every day. I moving from my houſe in Berwick-ſtreet, to Newman-ſtreet, near the Middleſex Hoſpital, I deſired her to help me. After ſhe had went a ſecond time, I enquired for the piece of lace: ſhe ſaid I ſhould find it among the things. After that I miſſed ſeveral other things; when I aſked her about them, ſhe made ſlight of them, but at laſt ſhe owned the fine lace and ſome ribbons were ſent to Chertſey in Surry, to her ſiſter, to be ſold. I went the ſame day to Chertſey, and ſhewed her ſiſter the hand-writing of the priſoner of the things; then her ſiſter gave me this letter *(producing one)* which I know to be of the priſoner's hand writing. *(It is read in court.)*

The contents were, that the priſoner had ſent her ſome lace, which ſhe ſaid was very cheap, &c. (The lace produced in court.)

Elizabeth Groom. This lace I received of her ſiſter in Surrey; it is my property. I found four pair of gloves in her apartment in Swallow-ſtreet, and ſhe owned ſhe took them out of my apartment in Berwick-ſtreet.

Mary Warden. Mrs. Groom called upon me, and ſaid ſhe had been robbed. I went with her to the priſoner's room, and ſaid to her, You have robbed Mrs. Groom. She begged for mercy of Mrs. Groom, and owned it. I ſaw the gloves found. I heard her confeſs ſhe took the lace and ſome ribbons.

Priſoner's Defence.

I am employed in the black milliner way. I have often black lace by me.

She called James Morris and George Vickers, who ſaid they never heard any ill of her character before.

Guilty. T.

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558. *(M.)* John Gilbet was indicted for ſtealing ſix ſhillings and ſix-pence, and ſix halfpence, the property of Simon Clark, Aug. 12. †

Acquitted.

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559. *(M.)* George Crowther was indicted for ſtealing two table cloths, value 5s. and twenty-four halfpence, the property of John Wood, October 9. †

John

John Ward. I keep a public-house in Weſtminſter. I loſt two linen table-cloths; I cannot ſay the exact time; the boy at the bar confeſſed to the taking and pawning them. I alſo loſt halfpence at different times. The priſoner drawed beer for me at different times.

Q. How old is he?

Ward. His father ſays he is ſeventeen years of age. I never got the table-cloths again. The boy owned to me he got into my houſe at the upper window, and came down to the till, and took the halfpence. He ſaid he pawned the table-cloths to Henry Still in the Almory, but he ſays he has no ſuch things.

The priſoner ſaid nothing in his defence.

Guilty. T.

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560. *(M.)* Joſeph Barett was indicted for the wilful murder of Evan Morgan; he alſo ſtood charged on the coroner's inqueſt for manſlaughter, October 6. †

He had the liberty, being a foreigner, to be tried by a Jury of half foreigners: but he choſe to be tried by all Engliſhmen.

Elizabeth Ward. I was in the Hay-market on the 6th of October, and between nine and ten in the evening. There was another woman with me, whom I never ſaw before. She aſked me for a penny: I told her I had none. She ſat upon a ſtep of a door, and I ſat down by her. As this gentleman went paſt, the other girl aſked him to give her a glaſs of wine, as ſhe was ſitting on the ſtep, and ſhe put her hand towards him.

Q. Did ſhe touch him?

E. Ward. I cannot ſay whether ſhe did or did not: I believe ſhe did.

Q. What was that for?

E. Ward. I believe it was by way of inducing him to go with her. He went a little further on, and then turned back and ſtruck me a great blow on the ſide of my face.

Q. What was you doing?

E. Ward. I was looking at the girl, and he came unawares to me.

Q. Was it open-handed, or with his double fiſt?

E. Ward. It was with his double fiſt.

Q. Did it hurt you?

E. Ward. It hurt me very much.

Q. Were any body near you then?

E. Ward. I did not ſee a creature near me then, except he and the girl. Then I called out.

Q. How far did he go before he returned?

E. Ward. As near as I can gueſs, he went about a yard. When I ſcreamed out, three young men came to him: they aſked him how he could ſtrike a woman.

Q. Did you not ſay ſomething about your patten?

E. Ward. Upon my word I did not, nor did I hear it mentioned.

Q. Did you not ſay he ought to be clove down with a patten?

E. Ward. No, I did not.

Q. Did you hear the young men ſay ſo?

E. Ward. I did not. One of them aſked him how he could ſtrike a woman; and they ſhoved one another againſt him, and ſhoved him off the pavement.

Q. Whereabouts was this?

E. Ward. This was at the corner of Panton-ſtreet. They ſhoved him off into the Hay-market, into where the coaches go. Then he drawed his knife out of the caſe and held it in his hand; but I did not ſee him ſtab either of them. They cried murder, he has a knife out!

Q. What was done then?

E. Ward. The gentleman ran away immediately when they called out.

Q. Did you here them ſay they were ſtabbed?

E. Ward. I did not. They all ran after him.

Q. Did they ſhove one another againſt him before he took his knife out, or after?

E. Ward. They ſhoved one another againſt him before he took his knife out.

Q. Did you ſee him take it out of his pocket?

E. Ward. I ſaw him take it out of the caſe. I did not ſee him take it out of his pocket.

Croſs-Examination.

Q. Who was that woman with you?

E. Ward. Upon my word I knew nothing of the woman.

Q. Did you not know her before? You are upon your oath.

E. Ward. I did not.

Q. Have you ſeen her ſince?

E. Ward. I have not. I aſked in the Haymarket, but could not find her.

Q. What ſize woman was ſhe?

E. Ward. She was rather ſhorter than I.

Q. How was ſhe dreſſed?

E. Ward. She had a brown gown on.

It appeared to be black. I do not know whether it was brown or black.

Q. How long had you been ſat down by her, before the gentleman came by?

E. Ward. Not long.

Q. Whereabouts did ſhe put her hand?

E. Ward. Towards his breeches; towards his private parts.

Q. Do you think ſhe did or did not touch him?

E. Ward. I believe ſhe did touch him.

Q. How long after this did the three young men come up?

E. Ward. In a moment; immediately.

Q. How many of thoſe young men were you acquainted with before?

E. Ward. I was not acquainted with any of them; only one of them kiſſed me the night before in the Haymarket. I believe I ſaw two of them: I remember one of them in particular, becauſe he ſquinted. *

Q. Did you never ſee them, or either of them, before?

E. Ward. Upon my word I never ſaw them in my life before.

Q. Whereabouts in the Haymarket did you ſee them?

E. Ward. It was by the Orange coffee-houſe, at the end of the Haymarket.

Q. Which of the others was it that you ſaw beſides he that ſquinted?

E. Ward. I believe the other was Morgan, he that is dead.

Q. How ſoon after they ſaid—How could you ſtrike a woman? was it that they ſhoved the gentleman?

E. Ward. Directly.

Q. How many times did they ſhove him?

E. Ward. It was twice. They ſhoved one, and then another. They were all cloſe together. They ſhoved him from off the pavement.

Q. Where was he when you ſaw the knife in his hand?

E. Ward. He was then off the pavement in the high-way; I ſaw the knife in his hand; and then he ran away.

Q. Did he run very faſt?

E. Ward. He ran quite faſt, about eight or nine doors up Panton-ſtreet, the way where he ran into the houſe, only the houſe was farther on; then I ſaw his head over their ſhoulders turn back. This was when he was gone eight or nine doors up. They all kept to cloſe to him. I believe it was then that the deceaſed was ſtabbed.

Q. Did you follow them?

E. Ward. I did, and ſaw him afterwards go into a ſhop in Panton-ſtreet.

Q. How many doors was that houſe from the end of the Haymarket?

E. Ward. I really cannot tell.

Q. Did you obſerve any other houſe open beſides that?

E. Ward. I ſaw no other open but that: that houſe was not above two or three doors from Oxendon-ſtreet.

Q. Were there no names called?

E. Ward. There were no names called by any body.

Q. Did not you, or the other girl, call him French dog, or to that purport?

E. Ward. No. I remember he called us b—hes.

Q. Did not the young men call him ſuch names?

E. Ward. I did not hear them. I was in a flurry. I do not remember they did.

Q. Do you recollect you have ever ſaid they did?

E. Ward. I believe I might ſay ſo.

Q. Do you believe you then told what was not true?

E. Ward. I never deſignedly ſaid what was not true.

Q. Then recollect what you did hear.

E. Ward. I remember hearing ſome ſay buggerer, or ſome ſuch name. Some of them called him ſo.

Q. Which was it, the other girl, or ſome of the men?

E. Ward. I cannot tell whether it was the girl, or one of them.

Thomas Patman. On the 6th of October Mr. Clark and I were coming up the Haymarket. We met Morgan near about where the fire was. We drank three pints of beer together, at a houſe that turns up on the left-hand. We aſked Morgan to give us a ſong; he ſaid he would give us a ſong, if we would go along with him to a houſe in Golden-ſquare. We were going along the Haymarket all three together, and juſt at the corner of Panton-ſtreet, coming by, there was a gentleman ſtruck a woman. I ſaw him ſtrike her on the head. She reeled, and was very near ready to fall. I do not

* *The evidence Clark ſquinted.*

not know whether it was me that ſaid he was not a gentleman for ſtriking a woman.

Q. Did you know the woman?

Patman. I did not. I had never ſpoke to her in my life.

Q. What did the woman ſay?

Patman. The woman cried out. I never heard her mention a word before. She ſaid, You do not behave like a gentleman.

Q. What did he ſay?

Patman. I never heard him ſpeak a word. The other two men were behind me, and they immediately puſhed me againſt the gentleman. I received a blow from him directly on my left ſide: the blood ran down into my ſhoe.

Q. How many times was you puſhed againſt him?

Patman. I remember no more than once.

Q. Was it with any great violence?

Patman. No, none at all. It would not hurt any body.

Q. Did you hear the word buggerer mentioned, or ſomething like?

Patman. I did not.

Q. Did you not call him names?

Patman. I did not call him any names at all. I cried out I was ſtabbed.

Q. Where was the gentleman then?

Patman. He was juſt at the corner of Panton-ſtreet, off of the Haymarket pavement.

Q. What did Morgan do to him?

Patman. I never ſaw Morgan do any thing. The gentleman made off half way up Panton-ſtreet. I did not know he had a knife. Morgan ran after him, to take him, and juſt by the Hole in the Wall Morgan received a wound. I ſaw the gentleman ſtrike at him as he was running up Panton-ſtreet; he ſtruck him on the ſide of his body.

Q. Whereabouts was he when this was done?

Patman. He was half way up Panton-ſtreet, on the right-hand.

Q. Did you ſee any other blows given?

Patman. I ſaw none but that. We purſued him, and cried murder. We ſaw him go into a chandler's ſhop. I went juſt by the door. Morgan was lying on the ground, as they told me. I did not ſee him. I never lifted up a hand againſt the gentleman, neither did I ſee any of the others offer to ſtrike him.

Q. Did you hear any ſuch words as buggerer, or French bugger?

Patman. No, I did not.

Q. Had you given him no offence at all?

Patman. No.

Q. Was you not puſhed againſt him?

Patman. I was.

Q. Where was he then?

Patman. He was off the pavement.

Croſs-Examination.

Q. How many were there of you at the public houſe?

Patman. There were Clark, I, and Morgan. We wanted Morgan to ſing a ſong there, but he had been deſired by people there before, and he would not ſing there.

Q. Where did you and Clark meet with Morgan?

Patman. We met with him accidentally in the Haymarket.

Q. When had you ſeen him before?

Patman. I had ſeen him ſome time before.

Q. How many women did you ſee?

Patman. There were two women ſitting on the ſteps, within two doors of Panton-ſtreet, in the Haymarket.

Q. Did you know either of them?

Patman. No, I did not.

Q. Can you tell whether Morgan knew any of them?

Patman. I cannot ſay whether he did or no.

Q. Did you never declare that Clark and Morgan knew the girl?

Patman. I do not know that I did.

Q. Was you examined before Sir John Fielding?

Patman. I was.

Q. Did you not ſay there that they did?

Patman. I do not remember I ſaid ſo.

Q. Did you hear any expreſſion made uſe of by either of the girls about a patten?

Patman. I was in a flurry; I do not remember it.

Q. How long after the blow you declared you was ſtabbed?

Patman. Directly.

Q. Did you not declare, that at the time you was ſtabbed you did not know you was ſtabbed, till you felt the blood run down?

Patman. The blood ran immediately.

Q. Might not there be a minute or two between?

Patman. I am moſt ſure, it was not half a minute.

Q. Where was Mr. Beretti puſhed to; was he puſhed off the pavement?

Patman.

Patman. I believe he was puſhed about three feet.

Q. How near was you to him?

Patman. I was cloſe by him. I followed him by the force of the puſh.

Q. How long after the puſh did you call out you was ſtabbed?

Patman. I felt the blood come immediately.

Q. Did not you ſay you did not know you was ſtabbed till the other man fell?

Patman. I knew I was ſtabbed before.

Q. But did not you ſay you did not call out you was ſtabbed, till after the other man was ſtabbed?

Patman. I gave notice directly.

Q. Did you ſee Morgan attempt to ſtrike him?

Patman, No.

Q. Where was he when Morgan laid hold of him?

Patman. Juſt by the Hole in the Wall.

Q. How far might that be from the place where he was ſtabbed?

Patman. That was about eight or nine doors diſtant.

Q. Did you not ſee the knife?

Patman. I never ſaw it at all. I thought it had been a little pen-knife.

John Clark. I was going up the Haymarket on Friday, the 6th of October, in the evening, between ſeven and eight o'clock. Patman and Morgan were with me. I ſaw Mr. Baretti ſtrike a woman. Mr. Morgan puſhed me againſt Patman, and Patman puſhed againſt Mr. Baretti.

Q. Was it a ſhove with violence?

Clark. No; it was a ſlight ſhove. He did not puſh me ſo very hard.

Q. What happened upon that ſhove?

Clark. I did not ſee the knife till they hallooed out they were ſtabbed.

Q. Did you hear Patman cry out he was ſtabbed?

Clark. Yes. The gentleman ran away, and Mr. Morgan went up to him, and he ſtabbed him.

Q. At what time did Patman ſay he was ſtabbed?

Clark. Some time after.

Q. How long after?

Clark. It might be a minute, or a minute and a half, or two minutes.

Q. Then the moment Patman had been puſhed againſt him, he ran up Panton-ſtreet?

Clark. Not till they both cried out.

Q. Where was Morgan ſtabbed?

Clark. In Panton-ſtreet.

Q. I aſk you, whether as ſoon as Patman had been puſhed againſt the gentleman, did they not both go off the pavement upon that puſh?

Clark. The gentleman did. I do not know whether Patman did.

Q. Upon that, did not the gentleman immediately run up Panton-ſtreet?

Clark. He went on towards Panton-ſtreet.

Q. Then he went on for Panton-ſtreet before you heard Patman ſay he was wounded?

Clark. Yes.

Q. Did you ſee the blood upon Patman?

Clark. Yes, after he got to the grocer's ſhop.

Q. Then you cannot tell whether it was before or after Patman was ſtabbed that he ran?

Clark. I cannot ſay which was ſtabbed firſt.

Q. Did you not all run after the gentleman when he ran up Panton-ſtreet?

Clark. Yes.

Q. When did Patman ſay he was wounded?

Clark. That was after we had run after the gentleman.

Q. Then you had not heard him ſay ſo before?

Clark. No.

Q. Why did you run after him?

Clark. Becauſe they ſaid he had a knife in his hand.

Q. Did you hear ſomebody ſay they were ſtabbed?

Clark. Yes.

Q. And did you take that to be one of your companions?

Clark. Yes.

Croſs-Examination.

Q. You have been examined by the magiſtrate and coroner, have you not?

Clark. Yes.

Q. You was ſworn before the coroner to tell the truth?

Clark. Yes.

Q. Did not you before the coroner ſwear that Morgan was firſt ſtabbed?

Clark. I did not know which was.

Q. Did you ſay that Morgan was the firſt perſon that ſaid he was ſtabbed?

Clark.

Clark. I did not know who that was. Somebody cried out they were ſtabbed, but I did not know who it was.

Q. Did not you ſay ſo before the coroner, and ſign to what you ſaid? Have you ſeen your depoſition lately?

Clark. No.

Counſel. I agree with you, you ſay you do not know which was firſt ſtabbed: but did not you ſwear, and ſign before the coroner, that Morgan firſt ſaid he was ſtabbed?

Q. Have not you ſaid Patman did not know he was ſtabbed, till he came into Panton-ſtreet; and did not you ſay, when aſked, who followed the gentleman, when he was ſhoved off the pavement?

Clark. I am not certain; I did not take particular notice who ran after him.

Q. Why did you not endeavour to recollect before the coroner, when a man's life was almoſt as much at ſtake as here? Did not you ſay then ſomebody went up and collared the gentleman?

Clark. Yes I did, it was Morgan: I am not certain who it was, I think it was Morgan: that was after he ran up towards Panton-ſtreet.

Q. Where was Morgan when the gentleman ſtabbed Patman?

Clark. I believe Morgan then was in Panton-ſtreet.

Q. Have not you ſaid upon your oath, that Morgan did go up to the gentleman to collar him?

Clark. That was when he went to go away.

Q. Did Morgan firſt ſay he was ſtabbed?

Clark. I am not certain.

Counſel. Remember, the Jury are to depend upon ſomething where a man's life is at ſtake. Have not you declared upon oath that Morgan was the firſt that ſaid he was ſtabbed?

Clark. No, ſir.

Q. Have not you ſaid that upon oath before the coroner?

Clark. Yes.

Q. When did Patman ſay he was ſtabbed?

Clark. Patman did not ſay he was ſtabbed, till near the grocer's ſhop, as I heard.

Q. Do you know that Morgan knew that Patman had received any injury, when he went up to collar the gentleman?

Clark. I do not know.

Q. Did Morgan go up to collar the gentleman before he knew Patman was ſtabbed?

Clark. Yes.

Q. Now recollect another thing. What words were made uſe of on this occaſion by the woman?

Clark. The young woman ſaid, he deſerved a knock over his head with her patten. That was after he had ſtruck the other woman.

Q. Were not the words, to have his ſkull cleaved? Did not you make uſe of the words cut or clove down with her patten?

Clark. No, it was have a knock with her patten, or words to that effect. I ſaid the ſame words then, as now.

Q. After you was examined, was not you called up to the head of the table, and your depoſition read deliberately to you? And was not you deſired to attend to it? And did not you ſign your name to it, and declare the whole to be truth?

Clark. Yes.

Q. Was the gentleman called any names?

Clark. No.

Q. Did not you tell Mr. Wyatt, the ſurgeon at the hoſpital, he was called French bugger, or French woman-hater, or words of that ſort?

Clark. No, I did not.

Q. Now as to this Elizabeth Windſor, or Ward, I underſtand ſhe goes by two names, how long have you known her?

Clark. I never ſaw her before I ſaw her at the coroner's. She ſaid ſhe ſaw me the night before this, but I did not know it was ſhe. She ſaid I kiſſed her the night before.

John Lambert. I have endeavoured to collect all the evidence together, at a great deal of trouble and pains, and when I had ſo done, I gave it the proſecuter's ſollicitor to make what uſe of it he pleaſed. I am a tallow-chandler, and was then a conſtable. On the 6th of this inſtant October, about nine o'clock in the evening, I was ſat down to ſupper, when I heard the cry of murderer, or ſtop murderer, which alarmed me a good deal. I got to my door, and obſerved the priſoner and two or three men purſuing him: he ran into a grocer's ſhop juſt oppoſite to me. Patman was ſtanding at the door when I went over. He was unbuttoned, and there was blood running down; I obſerved it through his ſhirt. I aſked him what was the matter; he ſaid he was ſtabbed by that gentleman, who was then in the ſhop, and had a knife in his hand. The ſilver caſe on it was bloody.

bloody. He had a green ſhagreen caſe in the other hand. I ſaid, Sir, I beg you will ſurrender. One or two of my neighbours came in; he ſaid, Are you friends? I ſaid Yes, we were, and would protect him. By that time a mob was gathered about the door, being between nine and ten. He endeavoured to put the knife in the ſhagreen caſe, and I believe he would have done it, if I had given him time. I not knowing who, or what he was, I thought it beſt to ſecure him. Immediately I ſprang to him, ſeiſed him by the collar, and took the knife and knocked it againſt a tea-cheſt to force it in; it was not quite in; and bent the point of it as it is now. *(Produced in court, in a ſilver caſe over the blade.)* I did propoſe carrying him to the round-houſe, but Sir John Fielding's name being mentioned, Mr. Barretti ſaid he was very willing to go before him. He ſaid he was a gentleman, and ſecretary to the Royal Academy in Pall-Mall. I took him to Sir John, and he was committed.

Croſs-Examination.

Q. Did you obſerve whether he had any intention to make his eſcape?

Lambert. No.; he did not ſhow any intention of that ſort.

Q. Did he attempt to conceal his knife?

Lambert. No. I ſhowed him my ſhort ſtaff, but I believe he did not ſee it. He appeared to be very near ſighted. Some of Mr. Baretti's friends ſaid there was another woman with Ward. I made it my buſineſs to take up ſeveral proſtitutes in the Haymarket, and examined them, but could not find any ſuch perſon as Ward has mentioned.

John Lloyd. I was a patient in Middleſex hoſpital when Morgan was there. I aſked him how he received his wounds; he ſaid he received them in Panton-ſtreet, near the Haymarket; that he and two men were going along, and they ſaw a gentleman ſtrike a woman; and one of them ſaid he was no man for abuſing a woman in that manner; that the deceaſed being in the middle, they ſhoved againſt the gentleman, and he ſtabbed the next man to him: the man cried, I am ſtabbed, and he made after him; and when he overtook him, he ſtabbed him in two places, turned round a third time, and ſtabbed him again, which hurt him worſe than the two firſt.

Q. Did he tell you he had collared him, or was going to collar him?

Lloyd. He ſaid his life was taken away, without any offence, over and over again.

Robert Leſcock. I was a patient in that hoſpital at the ſame time. Mr. Morgan told me he had been and drank a pint of beer with two gentleman; that he ſaw a gentleman aſſault a couple of women; that he went up to their aſſiſtance, and received two wounds, and after that a third, which ſtab was the worſt he had.

John Wyatt. I am a ſurgeon at the Middleſex hoſpital. Morgan the deceaſed was brought in there. He had received three wounds.

Q. Do not you apprehend that each of theſe three wounds might occaſion his death?

Wyatt. That wound received in his abdomen was the occaſion of his death. Wounds in the lungs do ſometimes prove mortal, and ſometimes not. After I had ſeen the deceaſed, I was going through the hall, when the porter ſtopped me, and told me there was the other man that had been wounded: I turned to him; there was Patman and Clarke with him. I aſked them how the affair happened. Clark began to tell his ſtory. He ſaid they were coming up the Haymarket; they had drank ſome beer; where they ſaw a gentleman abuſing a lady, who was an acquaintance of the gentleman's up ſtairs *(meaning Morgan.)* Theſe were the very words as near as I can recollect. I kept thoſe words in my mind, becauſe I thought there was ſomething extraordinary, not only in the manner of the man's expreſſing himſelf, but in the matter. I let him go on. I believe I aſked him what provocation had been given to the gentleman; he ſaid none, only puſhing upon him. I aſked how that was: he replied in theſe words, The gentleman up ſtairs puſhed me againſt that gentleman *(pointing to Patman)* and I puſhed him upon the gentleman *(meaning Mr. Baretti.)* I aſked who it was that ſtruck the gentleman. (I had not heard that any body had, but I thought it probable.) They ſaid they only puſhed him. I aſked him what provocation the girl had given him; he ſaid he believed ſhe had d—d him for a French bugger, and ſaid he ought to have his head clove with a patten; but, ſaid he, I ſaw no patten. Clove, or cut down, it was one of thoſe expreſſions. Then the patients and pupils in the hall were collecting about us. I took him out of the hall into the board room, and ſaid to Clark, This woman was an acquaintance of yours: he ſaid no. Then I ſaid, Probably I made a miſtake, ſhe was an acquaintance of the gentleman's up ſtairs: he then ſaid, No, not at all.

all. Then the gentleman with me ſaid, You raſcal, you ſaid ſo, not two minutes ago. But he then denied it: after that, I did not aſk him any other queſtion.

Court. Mr. Baretti, the evidence is now gone through that they have produced againſt you, in regard to the crime of which you ſtand charged. It is now your time, if you chuſe to ſay any thing in your own defence, or if you think proper, you may leave it to your counſel to call witneſſes.

Mr. Baretti. I have wrote ſomething concerning this accident. I do not know whether it is proper for me to read it.

Court. You certainly may be permitted to ſpeak or read any thing you have wrote. I ſuppoſe you mean it as a hiſtory of the fact?

Mr. Baretti. Yes.

He read to this purport:

On Friday, the 6th, I ſpent the whole day at home correcting my Italian and Engliſh Dictionary, which is actually reprinting and working off, and upon another book in four volumes, which is to be publiſhed in February next, and has been advertiſed in the News-papers. I went a little after four to the club of Royal Academicians in Soho, where I ſtopped about half an hour waiting for my friends, and warming myſelf in the club-room. Upon nobody's coming, I went to the Orange coffee-houſe, to ſee if a letter was come for me, for my letters come there, but there was none. I went back to go to the club, and going haſtily up the Haymarket, there was a woman at a door; they ſay there were two, but I took notice of but one, as I hope God will ſave me: there might have been two, though I only ſaw one; that is a fact. There was a woman eight or ten yards from the corner of Panton-ſtreet, and ſhe clapped her hands with ſuch violence about my private parts, that it gave me great pain. This I inſtantly reſented, by giving her a blow on the hand, with a few angry words. The woman got up directly, raiſed her voice, and finding by my pronunciation I was a foreigner, ſhe called me ſeveral bad names in a moſt contumelious ſtrain; among which, *French bugger*, d——ned Frenchman, and a woman-hater, were the moſt audible. I had not quite turned the corner, before a man made me turn back, by giving me a blow with his fiſt, and aſking me how I dare ſtrike a woman; another puſhed him againſt me, and puſhed me off the pavement; then three or four more joined them. I wonder I did not fall from the high ſtep which is there. The path-way is much raiſed from the coach-way. A great number of people ſurrounded me preſently, many beating me, and all d—ning me on every ſide, in a moſt frightful manner. I was a Frenchman in their opinion, which made me apprehenſive I muſt expect no favour nor protection, but all outrage and blows. There is generally a great puddle in the corner of Panton-ſtreet, even when the weather is fine; but that day it had rained inceſſantly, which made it very ſlippery. I could plainly perceive my aſſailants wanted to throw me into the puddle, where I might be trampled on; ſo I cried out murder. There was a ſpace in the circle, from whence I ran into Panton-ſtreet, and endeavoured to get into the foot-way. I was in the greateſt horror, leſt I ſhould run againſt ſome ſtones, as I have ſuch bad eyes. I could not run ſo faſt as my purſuers, ſo that they were upon me, continually beating and puſhing me. Some of them attempting to catch me by the hair-tail: if this had happened, I had been certainly a loſt man. I cannot abſolutely fix the time and place where I firſt ſtruck: I remember, ſomewhere in Panton-ſtreet, I gave a quick blow to one who beat off my hat with his fiſt. When I was in Oxendon-ſtreet, fifteen or ſixteen yards from the Haymarket, I ſtopped and faced about. My confuſion was great, and ſeeing a ſhop open, I ran into it for protection, quite ſpent with fatigue. I am certainly ſorry for the man, but he owed his death to his own daring impetuoſity. Three men came into the ſhop, one of them cried to me to ſurrender myſelf to him, who was a conſtable. I aſked them if they were honeſt men, and friends; they ſaid, Yes. I put up my knife, deſired them to arreſt me, begged they would ſend for a coach, and take me to Sir John Fielding. I appeal to them how I behaved, when I ſurrendered, and how thankful I was for their kind protection. Sir John heard what I and the men had to ſay. They ſent me into a room below, from whence I diſpatched a man to the club in Gerrard-ſtreet; when Sir Joſhua Reynolds and other gentlemen came to me. A meſſenger was diſpatched to the Middleſex hoſpital, where they ſaid Morgan was carried. A ſurgeon came, and took his oath that Morgan was in danger. Sir John committed me to Tothillfields-Bridewell. Two gentlemen, as well

well as the conſtable, can witneſs to my behaviour when the coachman loſt his way, which forced us to alight in the mire and darkneſs, in order to find the way to Tothillfield-Bridewell, I humbly conceive this will ſhew I had no intention of eſcaping. That woeful night I paſſed without reſt. My face had been obſerved to be hurt, while I was at Sir John Fielding's; and the conſtable was the firſt who took notice of a blow I had received on my chin. But when the heat and fear had ſubſided, I found a great pain in divers parts of my body. Mr. Molini and Mr. Low being with me, deſired me to let them ſee what was the matter with my back, which I had complained of. I ſtripped, and they ſaw ſeveral bruiſes.——— This, my Lord and Gentlemen of the Jury, is the beſt account I can give of my unfortunate accident; for what is done in two or three minutes, in fear and terror, is not to be minutely deſcribed; and the Court and the Jury are to judge. I hope your Lordſhip, and every perſon preſent, will think that a man of my age, character, and way of life, would not ſpontaneouſly quit my pen, to engage in an outrageous tumult. I hope it will eaſily be conceived, that a man almoſt blind could not but be ſeized with terror, on ſuch a ſudden attack as this. I hope it will be ſeen, that my knife was neither a weapon of offence or defence; I wear it to carve fruit and ſweetmeats, and not to kill my fellow-creatures. It is a general cuſtom in France not to put knives upon the table, ſo that even ladies wear them in their pockets for general uſe. I have continued to wear it after my return, becauſe I have found it occaſionally convenient. Little did I think ſuch an event would ever have happened.—Let this trial turn out as favourable as my innocence may deſerve, ſtill my regret will endure as long as life ſhall laſt. A man who has lived full fifty years, and ſpent moſt of that time in a ſtudious manner, I hope, will not be ſuppoſed to have voluntarily engaged in ſo deſperate an affair. I beg leave, my Lord and Gentlemen, to add one thing more. Equally confident of my own innocence, and Engliſh diſcernment to trace out truth, I did reſolve to wave the privilege granted to foreigners by the laws of this kingdom; nor was my motive a compliment to this nation; my motive was my life and honour; that it ſhould not be thought I received undeſerved favour from a jury part of my own country. I choſe to be tried by a jury of this country; for if my honour is not ſaved, I cannot much wiſh for the preſervation of my life. I will wait for the determination of this awful Court with that confidence, I hope, which innocence has a right to obtain. So God bleſs you all.

Q. to Lambert. Did you take notice of ſome blow upon Mr. Baretti's face at Sir John Fielding's?

Lambert. I did. I forgot to mention it before. He told me he had received it at the time by ſome of the people, which, in all probability he might. It was a little ſwelled.

Q. Had he his hat?

Lambert. He had loſt it in the ſcuffle.

Ann Thomas. My huſband is cook to Sir Pennington Lamb, at Brocket-Hall. I had been in the country, and came to town the day before this happened. I went this day to ſee a perſon that was ill of a ſore throat. I ſtaid and ſupped with her, and going home, I came through Leiceſter-Fields. I was on the left ſide of the way in the firſt Panton-ſtreet, (there are two Panton-ſtreets) where I ſaw a ſhop open. As I went on (I had my child in my arms) I ſaw a croud of people at the end of the ſtreet by the Haymarket. I alſo ſaw a gentleman run from among them on the ſide of the way I was. I heard him. My child aſked me to go home. Whether the gentleman ſtopped, or they ſtopped him at the Hole in the Wall, I cannot tell: they all ran after him; they were all in a great buſtle: I ſaw but one woman among them.

Q. How many do you think there were of them?

A. Thomas. There might be eight, or ten, or a dozen. I did not think of being called in queſtion about it. I was about facing him when he ſtopped. I ſaw him turn upon them. He was in the midſt of them. I ſaw him run from them again, towards the other paſſage; and when they ran again, I heard the cry of murder.

Q. Had you heard that cry before?

A. Thomas. I had not. I was much frightened. I and my child went forward, towards the grocer's ſhop. I aſked a perſon to take hold of my child, that I might go and ſee who it was. The perſon was not willing, ſo I went on towards home. I never ſaw the gentleman in my life before.

Mr. Peter Molini. I am acquainted with Mr. Baretti. I dined with him to-morrow will be

a

a fortnight ago, the day after the affair happened. As he was complaining of pain in his body, I desired him to strip, that we might see. In looking on his back, I observed a bruise under his shoulder, on the left side, and another a little lower, on the other side his back; I also saw a swelling on his right cheek, and a scratch on the right side. Two of the bruises were very visible. His jaw was swelled, and there was a little scratch on the same side. There were two other gentlemen present at the same time.

'Q. Look at this knife here produced. *(He takes it in his hand.)*

Mr. Molini. I have seen such knives as these before; they are used by almost every body. It is usual to carry them in pockets. Ladies use them to peel fruit, and eat sweetmeats, abroad. It is not common, as here, to put knives on the table. The outside is silver, and the inside steel, to cut a little bit of bread with.

Mr. Low. I am acquainted with Mr. Baretti; I visited him in Tothillfields-Bridewell. On Saturday, the 7th of this instant, a gentleman came and told me of the affair. I went about three, and asked him how he did; how he found himself: he said, I can scarce tell you; my mind is in a very bad situation, and I have bruises on my body. I said, You had better shew them before they go off. I lifted up his shirt, after his coat and waistcoat were off, and saw six or seven bruises on his body. The most remarkable was upon his blade-bone. There was one on his hip, and another on his side, which seemed as if the skin was a little off.

Justice Kelynge. I once was coming from a relation of mine down Panton-street, when a woman took hold of me, and endeavoured to put her hand into my breeches. I immediately sprung away. I was going to knock her down, when two men came up to me. I called out watch! watch! very loud, but no watch came, though they were very near. A gentleman, a major, crossed the way to me, and then they all ran away. It is a common case there. I am sorry to say it, notwithstanding all the care we take. Here is another brother magistrate in court, that has been attacked in the same manner: there is seldom a woman that attacks a man, but they have two or three men behind them, ready to pick your pocket, or to knock you down.

Mr. Perrin. It is impossible to walk up the Haymarket in the evening, or night, but you will meet with women the most indecent, the most abandoned wretches, that ever I saw, and they have often men following them. I have been obliged to go out of the way on their account. I have complained of this to Sir John Fielding and to Mr. Kynaston desiring they might be removed, for they are a common nuisance. Pains have been taken to remove them. They generally are attended by men. I have sometimes been afraid of walking up and down there. They will attack you, by laying hold of your arm, and are guilty of very great indecency, not to be bore with. There was a night-cellar there, where they frequented, but that has been removed.

Mason Alderton. I lodged at one time in Oxendon-street about four years. I was attacked about twelve months ago, at the corner of Panton-street, by men and women. I was attacked by women first, and because I pushed them away, I was attacked by men: they began to jostle me, but I had a pretty good stick in my hand, and they did not chuse to closely attack me. I applied to Sir John Fielding, and complained of that night-cellar. The licence then could not be taken away, because the house was of use to chairmen. It since is taken away. I have been more than once or twice attacked at that place. I have seen eight or ten there together, both men and women.

Hon. Mr. Beauclerk. In France they never lay any thing upon the table but a fork, not only in the inns, but in public houses. It is usual for gentlemen and ladies to carry knives with them, without silver blades. I have seen those kind of knives in toy-shops.

Q. How long have you known Mr. Baretti?

Hon. Mr. Beauclerk. I have known him ten years. I was acquainted with him before I went abroad. Some time after that I went to Italy, and he gave me letters of recommendation to some of the first people there, and to men of learning. I went to Italy the time the duke of York did. Unless Mr. Baretti had been a man of consequence, he could never have recommended me to such people as he did. He is a gentleman of letters, and a studious man.

Sir Joshua Reynolds. I have known Mr. Baretti fifteen or sixteen years. He is a man of great humanity, and very active in endeavouring to help his friends. I have known many instances of it. He is a gentleman of a good temper; I never knew him quarrelsome in my life; he is of a sober disposition. He never drank any more than three glasses in my company. I never heard of his being in passions or quarrelings.

ings. This affair was on a club night of the Royal Academicians. We expected him there, and were enquiring about him, before we heard of this accident. Mr. Baretti is secretary for foreign correspondents.

Doctor Johnson. I believe I began to be acquainted with Mr. Baretti about the year 53 or 54. I have been intimate with him. He is a man of literature, a very studious man, a man of great diligence. He gets his living by study. I have no reason to think he was ever disordered with liquor in his life. A man that I never knew to be otherwise than peaceable, and a man that I take to be rather timorous.

Q. Was he addicted to pick up women in the street?

Dr. Johnson. I never knew that he was.

Q. How is he as to his eye-sight?

Dr. Johnson, He does not see me now, nor I do not see him*. I do not believe he could be capable of assaulting any body in the street, without great provocation.

William Fitz-Herbert, Esq; I have known him fourteen or fifteen years. He is a man of as good a character as ever I knew any body; a peaceable man; a man that I always chose to have in my family. He has been in the summer in the country with my family for months together. I never saw any thing exceptionable by him in any kind whatever.

Edmund Burke, Esq; I have known him between three and four years; he is an ingenious man, a man of remarkable humanity; a thorough good-natured man.

David Garrick, Esq. I was not very intimate with Mr. Baretti till about the year 54, though I knew him before. I never knew a man of a more active benevolence. He did me all the civility he could do to a stranger, as indeed he did so to every Englishman that came in the course of my acquaintance with him. When I was at Paris, I was very inquisitive about men of literature. I asked who they thought was the best writer in their language; they told me Mr. Baretti. He is a man of great probity and morals. I have a very particular instance of his great friendship to me. Mrs. Garrick got a lameness, and we tried every method in order for a remedy to no purpose; and Mr. Baretti was the person that restored her.

Q. Look at this knife. *(He takes it in his hand.)*

Mr. Garrick. I cannot say I ever saw one with a silver sheaf before. I had one, but I have lost mine. Mrs. Garrick has one now, with a steel blade, and gold.

Q. When you travel abroad, do you carry such knives as this?

Mr. Garrick. Yes, or we should have no victuals.

Doctor Goldsmith. I have had the honour of Mr. Baretti's company at my chambers in the Temple; he is a most humain, benevolent, peaceable man. I have heard him speak with regard to these poor creatures in the street, and he has got some in the hospital, who have had bad distempers. I have known him three years. He is a man of as great humanity as any in the world.

Doctor Hallifax. Mr. Baretti is a man extremely affable in his temper, and quite a good-natured man.

There were divers other gentlemen in court to speak for his character, but the court thought it needless to call them.

Acquitted of the murder, of the manslaughter, *Self-defence.*

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561. *(M.)* Thomas Lewis was indicted for stealing thirty pounds weight of brass, value 10s. the property of John Bristow, September 13. †

John Bristow. I am an engine-maker, and the prisoner is a lawyer, who sawed in my yard in Ratcliff high-way. I lost about thirty pounds weight of brass, which was found in his possession.

Joseph Brewin. The prisoner's wife brought and sold eleven pounds weight of brass to our house. She had brought seven pounds the day before. I was told of it. I looked at it, and suspected it not honestly come by. She was to come about seven o'clock with more: when she came, I asked her how she came by it; she said her husband sent her with it. I sent for an officer. Then I asked her if I should send for her husband; she said no, but if I went to Jewin-street, and asked for one Thomas Lewis, it would do as well. I went and found him; he said he was her husband. He asked me what right I had to stop his wife; we said we had a suspicion the metal was stolen. He said it was his property. We delivered him to the charge of the officer of the night. The next day we went before the sitting alderman; there he said he was going to market, to buy provision for his family, and a man stopped him to buy it or lend him money upon it, but he did not know the man: he said he lent

* *Dr. Johnson and Mr. Baretti are both very near-sighted.*

sent three Gillings upon it. I then found the metal was the property of Mr. Brind, and carried it there, and he clothed it. *(Produced in court, and deposed to by the prosecutor.)*

Prisoner's Defence.

My family bought it of the smith's boy, my wife told me it was brought the bowls to her, and I was to give him three shillings upon it; and my fix Kirrey being ill of the small pox, the print and doctor's

Guilty. T.

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562. *(L.)* John Cave was indicted for stealing a muslin handkerchief, value 10d. the property of Annesley Brown, October 6.

Annesley Brown. Last Friday was se'nnight I was in Guildhall, between eleven and twelve o'clock. Mr. Smith touched me on the shoulder and said, You have lost something. I put my hand in my pocket, and said I missed my handkerchief. He said that man *(pointing to the prisoner)* has got it. He was laid hold of, and I saw it taken out of his breeches. There were three other handkerchiefs found upon him.

John Smith. I was standing behind the prisoner, and saw him make attempts to pick a man's pocket. The man had a button at his pocket, and he left him. The man came back a little, and said, I believe that fellow tried to pick my pocket. I said I thought so too. Said he, Let us look at him. We did, and in about four or five minutes I saw him put his hand into this gentleman's pocket, and take out some thing. I saw but a bit of it. He put it into his breeches. Then I asked the gentleman, if he had lost any thing. We secured the prisoner. I told the gentleman, If he has your handkerchief, he has it in his breeches. There we found it. *(Produced, and deposed to.)*

Prisoner's Defence.

I took the handkerchief off the ground, and put it in my shirt bosom. I belong to the guards.

Guilty. T.

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563. *(L.)* John Robinson was indicted for stealing a linen handkerchief, value 10d. the property of a person unknown, September 30.

Acquitted.

564. *(L.)* [illegible] was indicted for stealing seven pounds weight of sugar, value [illegible] the property of a person unknown, September [illegible]

Acquitted.

565. *(L.)* Charles M'Donald was indicted for stealing four silver watches, value 8l. and a silver watch in a silver case, value 3l. the property of John Perry, in the dwelling-house of the said John, September 20.

John Perry. I am a silversmith and jeweller, lives in Holborn, near Lincoln's-inn-lane. I was up stairs, going to supper, when my servant-maid alarmed me. On the 20th of September, a little after nine in the evening, she had first shut in the shop, and was shutting the door, when she screamed out Thieves! Mrs. Perry being nearer the stairs than I, she went down first, and when she came down the people were gone from about the door. I saw my shew-glass was broke, and five of my watches were taken away, all silver. One of them was a new like eton one, which opens at the back, and shows all the work. I never recovered any of them again. The prisoner was taken, and brought in: his hand was cut and very bloody, done, I suppose, by breaking the glass. I had seen some out of the shop about ten minutes, the watches were there when I left it.

Grace Hutchinson. I am servant to Mr. Perry. I had just put the shutter on the door, and shut it, when a man pushed the door open, and asked me if my master was not home. I said he was. He came in, and another came in sideways. The first that came in said, I need not call my master. He held a pistol to me, and bid me not to speak a word. The other kept his face towards the shew-glass. When my mistress came down, the man left me, and went and held the pistol to her. The other man smashed the glass, and they soon made their escape out of the shop. As soon as I recovered myself, I went up stairs. I should know the first that came in, could I see him; but the other kept his back towards me all the time. By the prisoner's dress, and his size, he resembles that man. They had both blue coats on. The prisoner was brought into the shop in less than three minutes, I believe. He kept his hands in his bosom all the time he was in the shop, which was the best part of an hour.

Thomas Clark. I live next door to Mr. Perry.

Perry. The clock had just gone nine. I was standing at the door, and saw the prisoner and another man loitering about our window-shutters. I saw the other man go into the prosecutor's shop, and the prisoner follow him. In a minute or two I heard a glass smash, and heard she cry, Stop thieves and robbers! by Mrs. Perry and her servant. I saw the two men run out: the prisoner was the last. One ran down Holborn, and the prisoner ran down Leather-lane. I pursued him. He was not got above thirty yards from Mr. Perry's shop, before I laid hold of him: he was never out of my sight. The street at that time was very clear. He was running as hard as he could. When I laid hold of him, he struggled several times to get away, till assistance came up. I am sure he is the man that I saw at our door, and went in last, and out last, at Mr. Perry's door.

John Green. I am constable. I saw this young man bringing the prisoner back again. He said, Green, you must take charge of this man. I took him into Mr. Perry's house. The mob was so very great, I could not examine him there, so I took him into my own room, which is just by. I found nothing upon him. I observed from two or three of his fingers the blood run down. I said, If you are innocent of this affair, how came your fingers cut? He said the man took hold of him, ran him up against the wall, and rubbed the skin off. I looked at them. There were four, five, or six different places, all fresh done. It was his right hand. Here is a pistol, *(produced in court)* which was found loaded about four yards from the place where he was taken.

James Baley. I live close by the prosecutor, and having heard there was a pistol presented to the girl, I asked the young man that took the prisoner, where was the place he took him; he went and shewed me, and about a yard or two from the place, where he shewed me, I picked up this pistol. It lay up against a dead wall.

Clark. It was found within two or three yards from where I took the prisoner.

Prosecutor. The watches did not hang above four inches from each other. The show-glass was locked: I had the key in my pocket. The glass was broke in a thousand pieces.

Q. Is your shop part of your dwelling-house?

Perry. It is.

Prisoner's Defence.

When I was before my Lord Mayor, I asked this young man whether I made any resistance? he said I did not. I was taken into the house and searched, but nothing was found upon me. Then I was taken into a public-house, and in about half an hour a man brought in a pistol. I am a waiter, and lived at the Union coffee-house and tavern, Piccadilly. I was coming from an acquaintance, and going along I observed a crowd about the door: they called, Stop thief! I turned round, and was immediately seized by the collar. I asked what he accused me with. He told me for robbing the shop. Then I went back with him.

Acquitted.

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566. *(M.)* John Birt was indicted for stealing a linen bed-gown, value 6d. a silk sack and petticoat, value 20s. a silk night-gown, two callico aprons, value 2s. one linen towel, value 1d. two quilted petticoats, one pair of paste shoe-buckles, one pair of paste knee-buckles, and one garnet stone heart, the property of Alexander M'Cloud, March 28. ‡

Daniel Collins. *upon indicted for this fact, (in May sessions last) together with the prisoner Birt, then not taken, to whose trial the reader is referred. See No.* 313.

Acquitted.

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567. *(M.)* Robert Garret was indicted for stealing two pair of cloth bodies for waistcoats, value 5s. the property of Patrick Conolly, September 28. ‡

Patrick Conolly. I live in Cross-lane, Holbourn, and am a taylor. The prisoner worked along with me. I lost two pair of forebodies for waistcoats on the 28th of September. I suspected the prisoner. I charged him with taking them: he denied it. I took him before the justice: then he owned he had sold them to Mr. Tuck in White-Hart Yard.

Gidion Tuck. I am a taylor and draper. I bought a pair of forebodies for a waistcoat of a man I never saw before. I saw the prisoner before Sir John Fielding. I cannot swear to him. But he acknowledged he sold them to me. *(Produced in court, and deposed to.)*

Prisoner's Defence.

The prosecutor knew me twenty years. What I sold this man were my property.

James Cameron. I have known the prisoner six or seven years. I never heard but that he was an honest man.

Guilty. 10d. W.

568.

568. *(L.)* [illegible] Bates, Johnson Bates, and Hannah Bates, were indicted for stealing one linen saw, value 3s. the property of James Johnson, September 15. †

James Johnson. I am a carpenter. I left a saw from where I was at work in John-street in the Minories. On the 15th of September Mr. David Davison, a pawnbroker in London-Wall, stopt it, and advertised it, and I went and owned it. *(Produced, and deposed to.)*

William Purse. I am servant to Mr. David Davison. The prisoner having brought three saws to our house, I suspected him whom he brought this. I stopped them and him.

Prisoner's Defence.

I did not take them myself, one of our trade did, and desired me to sell and pawn them.

Guilty 10d. W.

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569. *(M.)* Hannah, wife of George, Knapp was indicted for stealing three linen gowns, value 15s. a silk cloak, value 7s. a silk hat, value 2s. a linen handkerchief, value 3d. and a silk and cotton handkerchief, value 6d. the property of Alice Pearce, widow, September 19. †

Alice Pearce. I live in Wheeler-street, Spitalfields. I lost the things in the indictment *(meaning these)* on the 19th of September, out of a press in the prisoner's chamber. She was my servant. She and they were missing together. She was taken a few days after. I went to her in Tothillfields Bridewell; she told me if I would come the Tuesday following she would tell me where my things were: but she never let me know.

William Lyn. I am brother to the prosecutrix. I got intelligence of the prisoner at the sitting houses in the Savoy. I saw the glimpse of her red cloak. There were three soldiers hid her. I went to Sir John Fielding, got a warrant, and took her in Cross-street. The Saturday following I heard her declare she would tell where the things were; but she never did.

Allen M'Parlan. I belong to the guards. The prisoner took a boat and asked me to go with her to Greenwich. I went with her, and when I came back, she lent me this handkerchief. This was on the Thursday after she left her mistress. *(The handkerchief produced, and deposed to by the prosecutrix, as one that was missing with the other things.)*

Prisoner's Defence.

My mistress owed to me 15s. 6d. and gave me money to pay it off. I had this handkerchief in my pocket, and did not know of it; and this soldier owned it was [illegible].

Guilty. T.

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570. *(M.)* John Cook was indicted for making an affault on Francis Burgoine, in a certain foot-path near the king's high-way, and taking from his person four marine bank-notes, a head cloak, scarf and vallance, and one table-cloth, value 5s. the property of John Webb, October 14. †

Francis Burgoine. Last Saturday night, about eight o'clock, I was knocked down in Hemlock-court. I had the things mentioned in the indictment in my hand. I let the bundle fall. The prisoner came from behind me, and took the bundle, and was running away with it. I believe it was him that knocked me down, but being behind me, I could not see him. I called Stop thief! and he was stopt at Poole.

John Webb. I live in Globe-lane, Turnham Green. I am the owner of the goods. I lent Burgoine the Calender to fetch them home.

John Ward. I was coming out of a public-house, when this boy was crying a man had stole an umbrella. I saw the prisoner before me with a bundle under his arm. I ran to him and asked him where he was going with that bundle; he said it was only a joak. I said, Joak or no joak, you shall carry it back. I brought him back to the boy. There was a crowd came about; when I left him. The boy said before the justice the prisoner was the person that knocked him down.

Q. to Burgoine. Did you know the prisoner before?

Burgoine. No, I did not.

Allen Angell. I had been at the Crooked Billet, in Little Shire-lane. Somebody said, Pray gentlemen come out, a boy has been robbed. I went out and saw the boy standing. The prisoner was brought back. He took and laid the bundle on the boy's head, and said, Come along, come along, I know Mr. Webb very well. I took him by the collar and said, I know Mr. Webb, I'll carry you to him. I took him to his house, and he was not at home. The boy said before the justice he received a violent blow on the side, and he threw the bundle down, and

and had not power to take it up; and that he believed the prisoner was the person that hit him.

Prisoner's Defence.

I was going through the court; this bundle was lying in the high way: I took it up, and had been some time away. A gentleman came out of a public-house, and said a lad had lost a bundle. I did, but did not know whether it was his or no. I went and gave it him. He said he had been struck. How do it might be by me; he did not know who it was.

Prosecutor. The boy swore positively no body followed him up the court but the prisoner, and that it was him that knocked him down.

Guilty of stealing only. T.

571, 572. (M.) George Wade was indicted for stealing a silver watch, value 20s. a steel chain, value 6d. and a base seal, set in silver, value 2s. the property of John Jones, September 16.

Ambrose Tarrat. I live in Marybone, and am a lamp-lighter. On the 14th of last Month, between one and two in the day, I heard the cry of Stop thief! and saw a boy running. There was Mrs. Jones pursuing the prisoner. A gentleman stopped the prisoner by the collar and held him. He was brought to Mrs. Jones's house. I saw the prisoner take this watch out of his right-hand pocket, and put it behind the door in a chair. (*Produced in court.*)

Prosecutor. This is my watch. I was at work at the time when this happened. I did not know of it till the Saturday night. My wife, that could have given an account how the boy took it from where it hung, was here last night; and as she got home she miscarried, so she cannot attend.

Prisoner's Defence.

I never had the watch, nor never saw it.

Guilty. T.

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573. (M.) John Downs was indicted for shooting off a gun, loaded with gun-powder and a leaden bullet, at George Newton, in the dwelling-house of Ann Newin, widow, October 7.

Acquitted.

MVSEVM BRITANNICVM

The second Part of these Proceedings will be published in a few Days.